

UK LAW NOTES

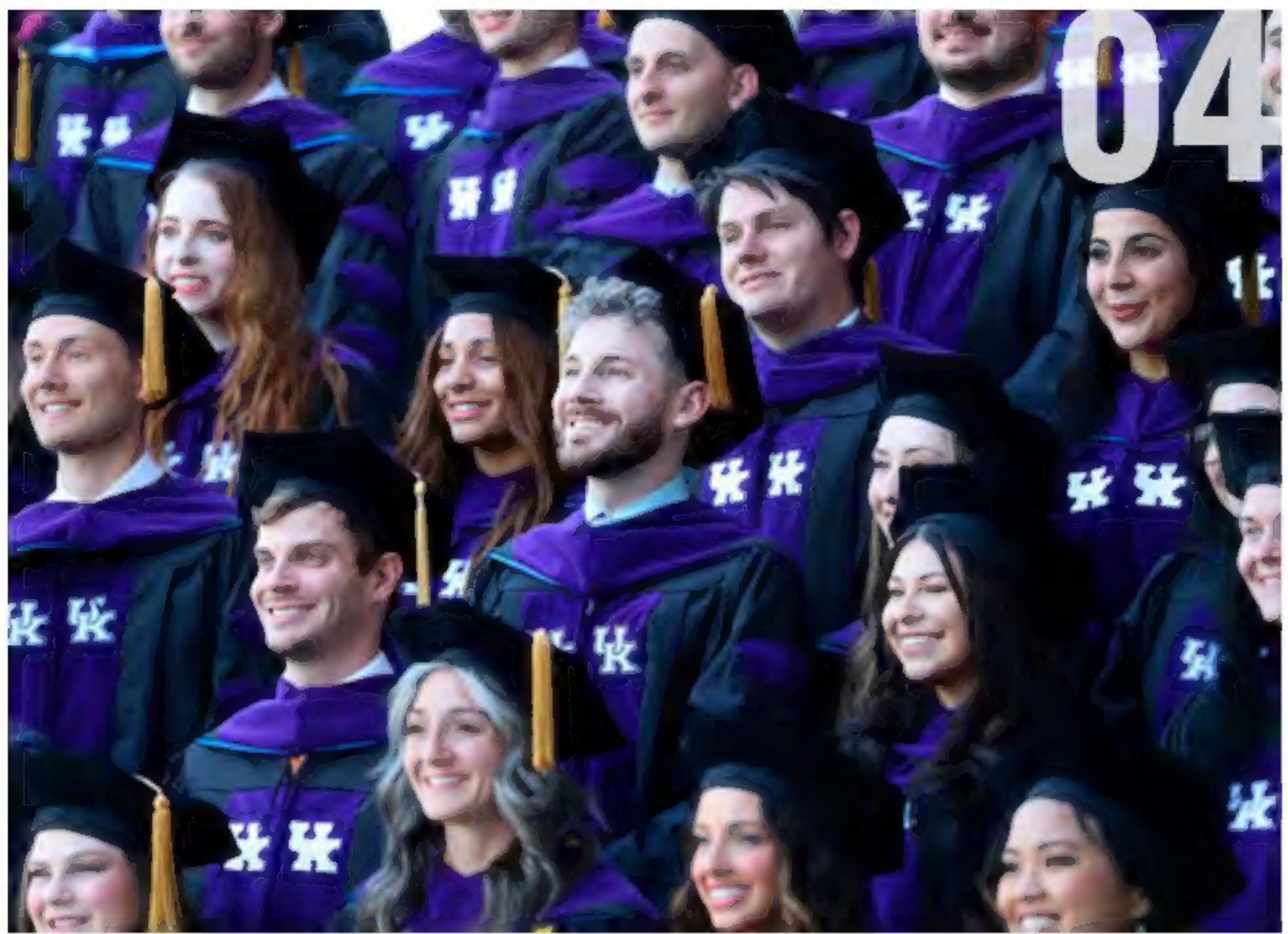
FALL 2023

UNIVERSITY OF KENTUCKY J. DAVID ROSENBERG COLLEGE OF LAW

Celebrating a tradition of excellence and commitment to progress



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ABOUT THIS MAGAZINE

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MESSAGE FROM THE DEAN

I am delighted again to greet you as you begin to enjoy the 2023 edition of Law Notes. This edition celebrates the tradition of excellence of the University of Kentucky J. David Rosenberg College of Law. In my now 32nd year on this faculty and my fifth year as your dean, I can attest that the excellence of our students, faculty, and graduates is as robust as ever.

Our alums are exceptional in their fields and their communities. You'll read about the Martin family whose appreciation for legal education has resulted in five generations in the law, including three graduates from our college. Robin Simpson Smith says the three years she spent in law school were perhaps the best of her life, and she continues to support the college with her husband, Thomas W. Smith, who is also an alum.

Our students continue to amaze in their capacity for excellence in the classroom and in their communities. You will read about the journey into the law of 3L Emily Puckett. Emily is in the first class of Rosenberg Scholars. As such, she was chosen because of her intellectual excellence and promise, and she has proved that to be true and so much more. I know this first-hand as she is one of a group of four teaching assistants who are helping me guide the first-year Torts class I am teaching. She is a first-generation law student and is committed to helping improve the lives of children who



become involved in the juvenile justice system. Emily, like you, lives her values every day. Our students not only thrive in law school, but they thrive as leaders of the student body and in their communities.

Our faculty is expanding. We have hired seven new faculty in the last two years. When you read their backgrounds, practice experience, and research interests, I am sure you will agree they will add much to our community. We have new colleagues in the health law, family law, criminal law and procedure, and legal research and writing fields. We are still hiring and hope to have more new colleagues in the coming years. Our faculty continue to emphasize the importance of teaching even while being nationally known scholars—excellence in the classroom is our priority. You will enjoy reading about Associate Dean Jennifer Bird-Pollan, the third faculty member to be selected as a UK Alumni Association Great Teacher Award winner in the last two years. These award winners are selected from faculty nominated by our students—a true testament to their commitment to our students.

When reading the stories in this edition of Law Notes, I am reminded of the importance of appreciating our rich tradition of excellence while keeping focused on our future. In thinking of our future, I share with you that I will be stepping down as your dean as of June 2024. As

I said in a message to the college recently, the season of my deanship is coming to a close. As the Byrds famously sang, "To everything turn, turn, turn; there is a season, turn, turn, turn; and a time to every purpose under heaven." After serving as your dean for almost five years, I firmly believe we are turning toward the future with a renewed purpose to continue the excellence you have come to expect and deserve from the Rosenberg College of Law. I am returning to the faculty to the best legal job there is—being in the classroom with our students. Stop by and visit me next season.

Mary J. Davis
Dean and Ashland-Spears Distinguished
Research Professor of Law

Celebrating the *Class of 2023*



On Friday, May 5, the University of Kentucky J. David Rosenberg College of Law held its commencement ceremony for the Class of 2023 at the Singletary Center for the Arts.

UK Rosenberg Law Dean Mary J. Davis said the Class of 2023 “reinvigorated the law building with activity, intellectual curiosity, and excitement at the opportunity of being with one another” when they returned to the law building full-time after taking their first law school classes online due to the pandemic.

“They have forged ahead through the good times and the interesting times with good spirits and determination, and they have earned this day,” she said.

As the top-ranked student in the class, Cole S. Manion gave remarks on behalf of the students. Professor Courtney E. Lollar was selected by the graduating class to provide remarks on behalf of the faculty, and Kentucky Bar Association President Amy D. Cubbage spoke on behalf of the bar.

“Today, I know I’m proud, and I know I’m thankful – proud to be done with this chapter and on to the next, and thankful that I didn’t have to do it alone,” Manion said.

Lollar said the faculty worried about what law school would look like for the Class of 2023 because law school is meant to be a community-based, collaborative experience, and they were concerned the class would not develop camaraderie.





"We worried that despite our best efforts, your ability to learn both the substance and skills that you needed to succeed as a lawyer would suffer, and I suspect, if you're honest, a lot of you were worried, too," Lollar told the class. "But we had nothing to worry about – nothing at all – because you were a step ahead of us. You have looked out for one another since the very beginning."

The students cheered each other on, comforted each other, shared notes and outlines, and figured out how to transition from online to in-person classes. "You have shown that you already have everything you need to succeed," Lollar said.

She offered the following advice to the graduates as they embark on the rest of their lives and careers: listen, show compassion, and speak up when you see injustice.

Cubbage, a 1997 graduate as well as president of the Kentucky Bar Association, congratulated the graduates on their achievements and provided some insight into the oath many of them will take after passing the Bar Exam.

"When we as attorneys take our oaths, we are committing ourselves to advancing and protecting our constitutions and our legal system, and that is a great honor – an honor that binds all practicing attorneys together as servants for the common good. I am so excited to look out at all of you today and welcome you as the newest members of our honorable profession," Cubbage said.

Jennifer Bird-Pollan, associate dean of academic

affairs and professor of law, called the graduates' names as Dean Davis presented members of the class with certificates signifying attainment of the degree of Juris Doctor. Professors Christopher G. Bradley and Jonathan David Shaub were elected by the Class of 2023 to place doctoral hoods on each graduate.

In addition, several graduates received special awards and recognition. Fifteen graduates were in the running for nomination and election to the Order of the Coif. The top 10 percent of the class was inducted after all grades were finalized. Sixteen graduates were recognized with the Pro Bono Award for completing at least 50 hours of independent, law-related public service prior to graduation.

Finally, the faculty selected Michaela Rose Taylor of Elgin, Illinois, as the 2023 recipient of the Faculty Cup. The Faculty Cup recognizes a graduating student whose endeavors, both in and outside of the classroom, made the law school a more interesting place for faculty and students alike.

"The Class of 2023's Faculty Cup recipient is described by their nominators as a joy to have in class and as a constant advocate for the law school and their fellow students," Davis said.

Taylor has been a leader in many student organizations as a law student and undergraduate at UK, and she has also been a leader in volunteering and service.

Davis concluded the ceremony by congratulating

the graduates once again and welcoming them to the profession.

"These courageous, passionate, and resolute graduates of the UK Rosenberg College of Law are sure to have an important impact in their lives as lawyers, on their clients, their communities, the Commonwealth, and our society at large."

"

Today, I know I'm proud, and I know I'm thankful – proud to be done with this chapter and on to the next, and thankful that I didn't have to do it alone."

Cole S. Manion

Law Graduate Michaela Taylor Committed to Lifelong Relationship with Alma Mater

Michaela Taylor of Elgin, Illinois, chose University of Kentucky for her undergraduate studies in part because she was ready to establish her own identity separate from her family. "I loved where I grew up, but I knew that I needed something different," she said. "I also wanted to be close enough to home that I could get there when I wanted to."

Taylor quickly found a home at UK as well. As a new student, she played saxophone in the UK Marching Band and pledged Alpha Gamma Delta sorority. After one of her sorority sisters told her about an open position with the UK Student Government Association (UKSGA), Taylor became elections commissioner for UKSGA and then remained active in the organization for the entirety of her time at UK until graduating in May from the University of Kentucky J. David Rosenberg College of Law. While in law school, Taylor served as the UKSGA's first director of graduate and professional studies.

For a long time, Taylor thought she wanted to become a healthcare administrator, and she attended UK because she was interested in the clinical leadership and management (CLM) program in the College of Health Sciences. "Growing up, my mom passed away from cancer, and I had been through the healthcare system and saw how the system affected people and their families."

As part of the CLM program, Taylor was twice paired with UK HealthCare attorneys for experiential learning and became interested in healthcare law, eventually enrolling in a dual degree program at UK leading to a juris doctor and master's degree in health administration.



Taylor said she applied to several schools with dual degree programs but ultimately decided to stay at UK because of the connections and friendships she had already made as an undergraduate student.

Taylor used her knowledge about various university services and programs to assist and advocate for law students and law faculty. Three UK Rosenberg Law professors received Great Teacher Awards from the UK Alumni Association after Taylor nominated them. Taylor was knowledgeable of the program because of her time as an ambassador for the UK Alumni Association as an undergraduate. "I had watched that process and knew that a lot of our professors were so deserving of that," she said.

Jennifer Bird-Pollan, associate dean of academic affairs, was recognized in 2023, and Professors Zachary Bray and Cortney Lollar were recognized the previous year.

Taylor said one of her biggest accomplishments in law school was advocating for a fall break for law students, which was implemented in 2022. In her proposal, Taylor used the same model that UKSGA had previously used to establish fall break for undergraduate students.

Two of her major initiatives as UKSGA's first director of graduate and professional studies were increasing accessibility to the student government childcare grants and developing a professional development grant for graduate and professional students. The professional development grant evolved from a travel grant that wasn't as useful during the COVID19 pandemic. It allows graduate and professional

students to attend online conferences and webinars, pay for Bar Exam preparation courses, pay fees for publishing in law journals, etc.

"We switched it from the travel grant to something that was a bit more applicable to graduate and professional students and their needs," Taylor said.

As a first-year law student, Taylor served as an adviser to the Student Bar Association president, helping SBA to attain grants and other services from the university.

Later, during her second year of law school, Taylor served as the UKSGA vice president. "I really saw that year coming out of COVID as a big change year for student government and the university, and I thought because I had at that point four years of experience on SGA, I could do a lot of good in helping those changes be most impactful for students," she said.

Now, as a graduate, Taylor recently moved to Covington, Kentucky, and has accepted a position as an associate on the employee benefits group at Bricker Graydon, just over the state line in Cincinnati.

Taylor said she loves Kentucky and has no plans to leave the state anytime soon. She also plans to get involved with the UK Alumni Association in northern Kentucky and stay involved at the law school.

"I think it is important to give just as much back, if not more," she said.

Graduate Follows Her Passions To and Through Law School

Anne Evans Léniz of Lexington, Kentucky, has long been guided by a personal mantra to follow her passions.

Evans Léniz's journey to becoming a 2023 graduate of the University of Kentucky J. David Rosenberg College of Law includes several diverse roles held after she received her bachelor's degree in English from Centre College in 2012.

"I didn't know what I wanted to study going into undergrad, but I followed the advice that I'd gotten about just following the classes that interest you," Evans Léniz said. "I decided to pursue those classes that interested me and those were primarily around English literature and writing."

Evans Léniz briefly worked for Kentucky Educational Television before studying documentary filmmaking at Northwestern University and earning a master's degree in journalism in 2014.

She did photography and videography for Lexington musician Ben Sollee and then worked as a part-time bartender at a brewery in Lexington before going to work full-time for her undergraduate alma mater. At Centre College, she worked in the communications office then became assistant director of residence life and, finally, as assistant director of admission for communication for a few years before she enrolled in law school.

"I didn't know if I wanted to go to law school," she said. "It was something that had crossed my mind. I'd also been interested in higher education administration and journalism."

Thoughts of law school returned while Evans Léniz was employed at Centre College. She felt like it was "now or never" and decided to go for it.

She decided on the University of Kentucky for law school because of UK's reputation as a great school with a warm and welcoming community. Law school was also appealing because of the various career options that come with a law degree.

"You're not necessarily going down a path that is leading you to one door," she said. "You get to choose from all these different options at the end of law school, and that was really appealing to me: the idea that I would get to explore a bit before narrowing things down."

In law school, Evans Léniz once again followed her mantra of following her interests and passions, choosing classes in immigration law, capital punishment and estate planning. Evans Léniz was the IL representative for the Student Bar Association and served as SBA vice president her second year. She served on the Kentucky Law Journal staff, volunteered for StreetLaw, and worked at the Legal Clinic.

In addition, she worked as summer associate for Stoll Keenon Ogdon PLLC after her first year of law school and for Sturgill, Turner, Barker, Maloney PLLC after her second year.

"I feel like everything that I've done so far has been about people and their stories. My work has been about helping people tell their stories, helping them plan the next chapter of their story, or helping them through the rough patches in their story, and I have really enjoyed that," Evans Léniz said.

She is now preparing for the next chapter of her story as an associate in the Business Litigation Practice Group of the Litigation Department of Frost Brown Todd's Houston office.



Brothers Adrian and Lazaro Del Valle of Miami, Florida, Graduate Together

Where did you attend undergrad? What did you study?

► **Adrian:** I attended Florida State University where I studied international affairs with a concentration in political science and received a minor in criminology.

► **Lazaro:** I completed my undergrad at Florida State University where I majored in criminology.

When did you first become interested in law school? Why?

► **Adrian:** During my high school years, an undeniable interest in the law emerged within me, influenced by a truly enlightening summer program at Harvard University. As I ambled through the hallowed corridors and dined in the esteemed Annenberg Hall, my attention was captivated by the statues and paintings adorning the walls, paying tribute to the finest legal and scholarly minds. This experience, coupled with my earlier involvement in the FBI Miami's Youth Academy, served as a revelation, revealing to me a profound yearning for intellectual stimulation and an unwavering ardor for the laws in which our nation was built.

► **Lazaro:** My initial exposure to the concept of law school came later in my academic journey, during my junior year at Florida State University. Growing up in a public high school within an economically disadvantaged neighborhood in Miami, I lacked a strong academic foundation. However, as I neared the end of my undergraduate studies, I developed a deep appreciation for the law and its potential to effect positive change within society.

Did you always know that you wanted to go to law school with your brother?

► **Adrian:** I knew from the moment my brother and I planned to go away to Florida State together that I would push him to pursue a legal education because it would not have been the same without him.

► **Lazaro:** No, I wasn't initially aware of the viability of pursuing a legal education. My aspirations leaned toward criminal justice, which unexpectedly guided both my brother Adrian and me toward our current path in law.

Why did you decide to come to UK for law school?

► **Adrian:** During Spring Break my senior year of undergrad, in the midst of the early phases of the pandemic, we visited Lexington unaware that the entire country was basically shutting down. Nonetheless, we drove up from Tallahassee and when we saw Lexington, we fell in love with it.

► **Lazaro:** I chose the University of Kentucky for law school for its esteemed faculty, diverse legal courses, and strong connections in the legal community, ensuring an elite legal education.

What were the pros and cons of going to law school with your brother?

► **Adrian:** Pro: someone to vent to who could relate. Con: watching your brother get obliterated in a cold call and having to mind your own business.

► **Lazaro:** Attending law school with my brother offered the advantage of having a supportive companion to share the stress and engage in discussions about legal concepts. However, it also posed challenges in terms of establishing a sense of independence and creating separate identities within the law school environment.

What was your biggest accomplishment in law school?

► **Adrian:** Among my most cherished accomplishments during my time in law school, I take immense pride in successfully completing two regulatory externships within the esteemed offices of legal counsel, at namely the Kentucky Public Protection Cabinet and the Kentucky Energy and Environment Cabinet. Equally gratifying was the opportunity to enlighten high school students in the greater Lexington area about the intricacies of the law, fostering an understanding and appreciation for the legal realm within the younger generation.

► **Lazaro:** The accomplishment I am most proud of is my contribution to the law school's efforts in promoting diversity. By serving on the executive board of the Latino Law Student Association (LLSA), I had the opportunity to organize events and foster community involvement, guiding and mentoring incoming minority law students. As a first-generation Latino law student, the chance to make a significant impact and address the unique obstacles within my community holds deep significance for me.

What do you think you'll remember most about law school?

► **Adrian:** The intellectually stimulating exchange of historical concepts, ideas, and legal doctrines moderated by the most competent law professors we could have asked for.

► **Lazaro:** What I believe I will remember most about law school is the invaluable interactions and connections formed with my classmates and friends, who have become an integral part of my journey, providing support, camaraderie, and shared experiences that have enriched my overall experience.

How do you plan to use your law degree?

► **Adrian:** I ultimately plan to use my law degree to pursue public office in the future. In the interim, I plan to diligently apply my legal acumen to navigate the intricate landscape of the regulatory practice area, ensuring a steadfast dedication to upholding the rule of law and placing my future clients and constituents in the best position I can.

► **Lazaro:** After earning my law degree, my immediate plan is to practice law in Kentucky. By immersing myself in the legal landscape of this state, I hope to gain invaluable practical experience, contribute to the local legal community, and make a tangible impact on the lives of those in need of legal representation and advocacy.



*Pictured left to right:
Adrian L. Del Valle, Lazaro Del Valle*



Kentucky Law Journal Annual Symposium Focuses on Redistricting

The Kentucky Law Journal held its annual symposium on Friday, Oct. 14, 2022, in the G. Chad Perry III Grand Courtroom of the University of Kentucky J. David Rosenberg College of Law. This year's symposium was titled, "Drawing the Lines: Redistricting After the 2020 Census."

The symposium featured a keynote address by Michael Adams, Kentucky Secretary of State, and opening remarks by UK Rosenberg Law Dean Mary J. Davis and Professor Joshua Douglas.

The following panels and panelists were also presented:

Panel 1: Redistricting in the Political Thicket

Featuring **Professor Anthony Gaughan**, author of *Redistricting in the Political Thicket: The Ghosts of Colegrove v. Green*

Professor Wilfred Codrington, Brooklyn Law School

Professor Ruth Greenwood, Harvard University

Participating virtually **Chris Crumrine**, University of Kentucky Ph.D. candidate

Moderated by **Jessica Hutchings**, KLJ Vol. 111 staff

Panel 2: Journalist Perspective

Austin Horn, Lexington Herald-Leader

Jen Fifield, VoteBeat

Participating virtually **Sam Levine**, Guardian

Participating virtually **Grace Panetta**, The 19th

Joe Sonka, The Courier-Journal
Moderated by **Dave Daley**, FairVote

Panel 3: Practitioner Perspective

Casey Hinkle, Attorney at Kaplan and Johnson

Victor Maddox, Deputy Attorney General of Kentucky

Corey Shapiro, Legal Director at ACLU of Kentucky

Moderated by **Bailey Pierce**, KLJ Vol. 111 staff

Panel 4: Self-Districting: The Ultimate Antidote to Gerrymandering

Featuring **Professor Edward Foley**, author of *Self-Districting: the Ultimate Antidote to Gerrymandering*

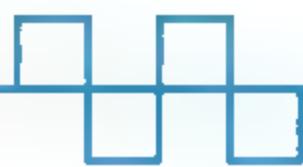
Professor Douglas Spencer, University of Colorado College of Law

Professor Carolyn Shapiro, Chicago-Kent College of Law

Participating virtually **Professor Nicholas Stephanopoulos**, Harvard Law School

Moderated by **Tiffanie Tagaloa**, KLJ Vol. 111 staff

KJEANRL Holds Ninth Annual Symposium



On Friday, March 31, the Kentucky Journal of Equine, Agriculture, and Natural Resources Law held its ninth annual symposium, “Unpacking *West Virginia v. EPA*: Major Questions Doctrine, Environmental Litigation and Regulation, and Climate Change in Kentucky.”

University of Kentucky J. David Rosenberg College of Law Dean Mary J. Davis provided opening remarks at the symposium held in the college's G. Chad Perry III Grand Courtroom. The following sessions were presented throughout the day:

Session 1: Major Questions Doctrine & SCOTUS Ruling

Tom “Fitz” Fitzgerald, Counsel for Kentucky Resources Council, *The Major Questions Doctrine & Introduction to W.V. v. EPA*

Professor Jonathan Shaub, University of Kentucky J. David Rosenberg College of Law, *Supreme Court Decision - Making & Rationale*

Session 2: Environmental Litigation & Regulation

R. Clay Larkin, EMLF President
Randy Strobo, Founding Partner at Strobo Barkley, PLLC

Session 3: Environmental Justice Panel

Professor Shavonne R. Carthens, University of Kentucky J. David Rosenberg College of Law, author of *Consideration for the Future of EPA Greenhouse Gas Regulation*
Ashley Wilmes, Executive Director of Kentucky Resources Council
Tom “Fitz” Fitzgerald, Counsel for Kentucky Resources Council

Session 4: Climate Change & Natural Disasters

Dr. Jerry Brotzge, Director of Kentucky Climate Center (KCC), *Presentation on Kentucky Past Climate & Current Hazard Trends*

Dr. Bill Haneberg, Director of the Kentucky Geological Survey & State Geologist, *Hotter, Wetter, and Wilder: Thinking About Kentucky Climate and Geohazards in a Post West Virginia v. EPA World*





Future Alum, Class of 2024

Emily M. Puckett

WHERE IS YOUR HOMETOWN?

I was born in Lexington, Kentucky but grew up in Hawaii. My father is Japanese American, and his family immigrated to Hawaii from Japan in 1906. My mother is from Indiana, and the two met at Georgetown College. My family returned to Lexington before I started fourth grade. As an adult, I left Lexington for seven years and lived in Berea, Kentucky and Baltimore, Maryland. Despite these meanderings, I've always returned. Lexington is home to me.

TELL US ABOUT YOUR EDUCATION BEFORE LAW SCHOOL.

As a high school student, my English teacher noticed my aptitude for creative writing and poetry. She referred me to the Creative Writing department at the School for the Creative and Performing Arts (SCAPA) magnet program at Lafayette High School. My training at SCAPA helped me earn acceptance into the tuition-free Berea College where I received an exemplary liberal arts education and a degree in Speech Communication and Rhetoric.

WHEN DID YOU FIRST BECOME INTERESTED IN LAW SCHOOL? WHY?

I am one of 10 children, and five of my siblings were adopted from around the world. When my final sibling joined our family through adoption from foster care, I was old enough to see the difficulty she faced. She was separated from her biological siblings, and I watched her grapple with that loss. That experience put a desire in my heart to foster children so siblings could stay together.

At Berea College, I conducted an independent study on adoption law in Kentucky. I almost went straight to law school after undergrad but opted to wait. I married my college sweetheart, Kevin, and together we moved to Baltimore, Maryland where he pursued his graduate degree.

Soon after returning to Lexington, we opened our home to foster siblings. We had three children of our own at the time. Over the next few years, we fostered seven children total. Most were able to safely return home, but we had the honor of adopting a pair of brothers. After adoption, we had an encore baby — bringing our total to six.

I started working as a Foster Parent Trainer with the Department for Community Based Services. Through this experience, I saw the frequent disconnect between laws and children's best interests. My frustration and grief invited me to question my own contribution and purpose. I decided to go to law school because I wanted to reach my potential and offer my best self to my community.

WHAT DO YOU LIKE MOST ABOUT THE UK ROSENBERG COLLEGE OF LAW?

I like the supportive and collaborative atmosphere. The administration, professors, and staff all work together to produce lawyers who are ready to face a career's worth of legal challenges. As a non-traditional student, I've been delighted to be welcomed by my cohort. To be in the company of so many intelligent, capable individuals is a unique and rich experience.

The law school offers ample opportunities to gain practical experience. Working at the *Kentucky Law Journal* as Managing Articles Editor has improved my writing, editing, and communication skills. During my 2L year, I was an Extern for the Kentucky Innocence Project. Working with and for my client was meaningful. As an Extern I witnessed the complexities and challenges in the criminal legal system. Through the Pro Bono Program I volunteered at Expungement Clinics and the Fayette County Legal Help Center pilot program. Exercising these skills helped solidify my decision to practice law.

WHAT ARE YOUR CAREER GOALS?

After law school, I'm clerking for United States District Court Chief Judge Danny C. Reeves. I hope to also clerk for an appellate court.

One day, I'd like to have an appellate practice. Along with appeals, I'd offer consulting services through all stages of litigation to aid with strategy and preserving issues for appeal. I enjoy the purity of legal issues at the appellate stage. Blending legal analysis with the creativity of storytelling is a craft I enjoy.

WHAT HAS BEEN YOUR MOST MEMORABLE EXPERIENCE AT UK ROSENBERG COLLEGE OF LAW?

Opening my 1L first semester grades to find I earned the top score in Contracts and Torts was a complete shock.

IS THERE A PROFESSOR OR CLASS THAT HAS REALLY LEFT AN IMPRESSION ON YOU?

I love law school! I'm curious and enjoy understanding the mechanics of a thing. I've learned best from Professor Michael Healy. My first class with him was Torts. For the first few weeks, it was as if he was speaking a foreign language. Over time, I began to understand bits of what he said. There was a point in the semester where I was laden with this jumble of tort law that was not yet strung together. I resolved to trust Professor Healy to put the pieces together before the exam. Thankfully, he did.

WHAT ADVICE DO YOU HAVE FOR PARENTS IN LAW SCHOOL?

In one of my favorite books, *Man's Search for Meaning*, by Holocaust survivor, Viktor Frankl, he says, "He who has a why to live for can bear almost any how." As a parent to six children, I never question my "why." I have a lot of eyes watching my work ethic, integrity, and attitude. Witnessing my children grow and participating in their development is my greatest pleasure. They've taught me to hold on to my wonder and relish life's fleeting moments. Being their mother gives me the fortitude to bear even the most difficult "how."

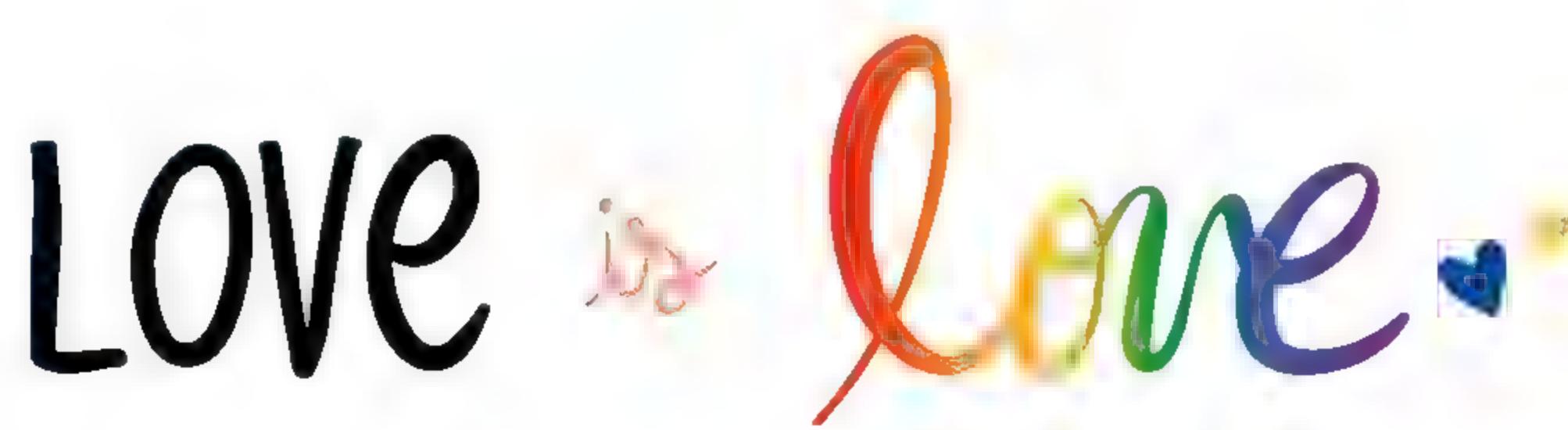
My advice to parents in law school would be to work in extra margin. Kids get sick, and life happens. Catastrophes can often be avoided by working ahead.

My advice to mothers is to remember your "why" and extend grace to others who are not living our experience. Despite the progress we've made as a society, at times, I've felt I had to overcome a presumption that I cannot be a good law student because I am a mom and that I cannot be a good mom because I am a law student. But life is not a zero-sum game. Being a better mom makes me a better law student, and being a better law student makes me a better mom. The skills I've gained in both enrich me as a person. Both bring me great joy, and that joy propels me.

AS A LAW STUDENT, WHAT CHALLENGES HAVE YOU FACED, AND HOW HAVE YOU OVERCOME THOSE CHALLENGES?

The rigor of law school has a way of exposing our frailty, shortcomings, and fears. I'm no exception. On my best days, I'm able to see challenges and obstacles as invitations to grow. And still, the pressure of law school and starting a legal career can be crushing. As a first-generation law student, I was ignorant about the way law school grades and achievements follow us into our careers. I've had to reflect along the way to be sure I'm not mindlessly checking boxes. I don't want to wake up one day only to find myself far from my goals and values. I'm more than my resume.

Fostering relationships with people who know and love me is essential. I treasure my friends and family because they keep me grounded and remind me who I am. I've needed these people more than ever. My faith keeps me anchored, too. I know this is where I'm supposed to be right now. When I feel overwhelmed about the future, it's usually because I am overestimating my own power and agency. Yes, I'm holding a lot, but I'm also being held. When I rest in that notion, I find peace.



Law school student org examines LGBTQ+ legal history and rights

The UK Rosenberg College of Law's LGBTQ organization, OUTLaw, held its first Love is Love Banquet at Limestone Hall in Lexington on Feb. 16.

The event focused on the legal history and future rights of the LGBTQ+ community and has been in the making since the beginning of the fall 2022 semester, according to Dakota Shugars and Tate Craft, OUTLaw's Co-IL Representatives.

"OUTLaw hoped to bring together members of the legal community to spark thoughtful conversation about the future of LGBTQ+ rights. The current US Supreme Court is a scary place to look for LGBTQ+ support/affirmation so knowing how to adapt legal arguments is critical when opinions like Dobbs (overturning *Roe v. Wade* and *Planned Parenthood v. Casey*) are narrowing the scope

of privacy rights," said OUTLaw treasurer and second year UK law student, Will Baird.

Along with opening up the legal aspect of the conversation surrounding LGBTQ+ rights, these events also provide support to members of the LGBTQ+ community.

Baird attended high school in Eastern Kentucky where there were no LGBTQ+ organizations. He then attended the University of Louisville where the LGBTQ+ community was constantly thriving.

According to Baird, moving to Lexington for law school is what pushed him to get involved in OUTLaw. There are organizations in Lexington, such as JustFundKY, that aim to provide support to other organizations in Kentucky.

"These organizations are so critical in halting the tide of oppression against LGBTQ+

people, like the bills we see working their way through the General Assembly at the moment," Baird said.

The event featured UK Professor Daniel Canon as the keynote speaker, in which he shared his experiences of being a civil rights attorney, educator and writer.

Canon attended the University of Louisville for both his undergraduate and law programs. He currently works as an attorney as well as a law professor at the University of Louisville Brandeis School of Law.

As an attorney, Canon's focus is on civil rights cases and fighting for the rights of marginalized persons. He is most known for his role as lead counsel in *Obergefell v. Hodges*, the case which granted same-sex couples the freedom to marry.

Canon was chosen to give the keynote address as he is "a well respected civil rights attorney in Kentucky and Indiana, and his work with Bourke And Love (Kentucky cases that were consolidated on appeal into Obergefell) was instrumental in the Supreme Court's decision for marriage equality," Baird said.

Canon has attended events similar to OUTLaw's Banquet over the years. He said he delivers these keynote addresses for the students.

"Students — especially those from historically marginalized or underserved communities — need to know that they have support from law professors and the legal community in general," Canon said. "They need to hear honest words of encouragement and affirmation."

Canon spoke to attendees about the progress made over the last 50 years regarding LGBTQ+ inclusivity and protection laws. He said while the laws are what make a written change in our country, the support attorneys provide to members of the LGBTQ+ community is what drives these changes.

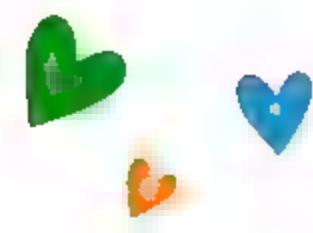
"Our work is not always to win, our work is to provide support," Canon said.

While not every case is won in favor of the LGBTQ+ community, that does not mean progress is not being made.

"Change starts with people and if one



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person left that room inspired to commit themselves to calling a state legislator, running for office, taking on a LGBTQ+ civil rights client, etcetera, then the event was a smashing success," Baird, who also spoke to the narrative that progress consists of more than just winning a case, said.

According to Canon, the support the LGBTQ+ community has today would not have been possible in 1972, not even 20 years ago; any more possible than Richard John Baker and James Michael McConnell winning their case and being granted the freedom to marry in 1972.

"Rule change equals real change," Canon said.

Canon received a standing ovation once his address had concluded.

Canon was not the only attorney present. There were a handful of law firms that attended the banquet, including Baird & Baird, Dinsmore, Frost Brown Todd, McBrayer, and Stites & Harbison.

Other attendees of the legal community included members from the Human Rights Campaign and the UK General Counsel's office. The 22nd Kentucky Judicial Circuit, which represents Fayette County, was represented as well.

"It is amazing that many of them are dedicated to educating themselves on the current standing of LGBTQ+ rights," Baird said.

Faith Gingrich-Goetz, UK Rosenberg Law graduate, former OUTLaw president and former campaign director of the Human Rights Campaign, was also in attendance.

Gringrich-Goetz said she feels that events such as this banquet open up the conversation to people who may not pay attention to the issues surrounding LGBTQ+ rights.

Baird stressed the importance of learning how to fight for LGBTQ+ rights in a constantly changing political climate.

Canon said the best thing someone can do to get involved is to organize.

"Call the activists and organizations that are already involved in this work and ask how you can contribute," said Canon.

CASEY SEBASTIANO



Women's Law Caucus Holds Annual Reception

On Saturday, March 25, 2023, the Women's Law Caucus student organization held their annual Spring Reception Brunch. WLC recognized alum Kimberly Henderson Baird, Fayette County Commonwealth's Attorney and a 1996 graduate of the college; Law Professor Courtney Lollar; and Law Professor Kathryn Moore. UK Rosenberg Law student Emily M. Fueker received the Rebecca Westerfield Excellence in Leadership Award during the reception.



Women's Law Caucus Brunch

The Women's Law Caucus held their annual Spring Reception Brunch on Saturday, March 25, 2023. The event was a formal gathering where alum Kimberly Henderson Baird, Fayette County Commonwealth's Attorney and a 1996 graduate of the college, was recognized. Law Professor Courtney Lollar and Law Professor Kathryn Moore were also present. UK Rosenberg Law student Emily M. Fueker received the Rebecca Westerfield Excellence in Leadership Award. The reception was held in a large, elegantly decorated hall with high ceilings and large windows, featuring tables set with white linens and floral centerpieces.

College Hosts Inaugural Moot Court Tournament

Undergraduate students from across the country traveled to Lexington, Kentucky, and filled classrooms – temporarily designated as courtrooms – at the University of Kentucky for the inaugural Bluegrass Regional Undergraduate Moot Court Tournament, co-sponsored by the UK J. David Rosenberg College of Law and Berea College.

Sixty-eight undergraduate students from Berea College; University of Louisville; Vanderbilt University; University of Georgia; Clemson University; University of California, Berkeley; Air Force Academy; Colorado Christian University; Patrick Henry College; and Williams College formed 34, two-person teams for the tournament held Nov. 11-12, 2022.

Kit Beyer and Andy Beyer, sophomores and siblings from University of California, Berkeley, were the tournament champions.

"It has been an amazing experience," Kit Beyer said after the awards ceremony. "This is my first moot court tournament. So, to fly across the country and be here was such an honor. I've gone up against so many amazing teams. I feel like I've learned a lot and I'm really excited for what's coming next with nationals."

The national case problem involved a Fourth Amendment issue and an Eighth Amendment issue. The finalists and semifinalists of the Bluegrass Regional Undergraduate Moot Court Tournament qualified to move on to the national American Moot Court Association tournament.

"It has been a wonderful experience from start to finish," Andy Beyer said. "All the judges have been so great at giving me feedback. I feel like I have so much that I can improve upon but also I've been able to put into practice the things that I've been learning, and it's ultimately been such a great culmination of moot court season so far, and I can't wait to see what happens next at nationals."

The runners-up were Sarah Zhang and Aayush Singh, also from University of California, Berkeley. The two semifinalist teams were Cavin Huh and Hope Turner from Patrick Henry College as well as Sawyer Bradford and Katy Carroll from University of Georgia.

The tournament was held in various classrooms in the Law Building and Gatton College of Business and Economics at UK. The students competed in the G. Chad Perry III

Grand Courtroom in the Law Building for the final round, followed by an awards dinner in the Honorable William S. Cooper '70 Classrooms on the third floor of the Law Building.

Tournament Director Dan Huck, who is a professor of Law, Ethics & Society at Berea College, said the event emerged from initial conversations before the COVID-19 pandemic about possibly holding a less formal, invitational tournament. After a few years of delay, however, the American Moot Court Association suggested a regional tournament instead. "UK Rosenberg College of Law and Berea took that next step as partners in putting on a full regional competition, and the results have been fantastic. This event really demonstrated for me the unique generosity of the practicing professionals and law students who are part of a larger community around the law school."

"We want this tournament to be a meaningful and memorable experience for the undergraduate students," UK Rosenberg Law Dean Mary J. Davis said. On Friday, Davis welcomed participants to the tournament and law school.





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Dan Huck

Local attorneys and judges, including UK Rosenberg College of Law alumni, as well as UK Rosenberg Law faculty volunteered to serve as “justices” who heard oral arguments.

“I volunteered because I’ve been looking for an opportunity to get out in the community and be involved, and I don’t think there is a better way that we can serve our community than by serving our budding legal scholars,” said Felisa Moore, UK Rosenberg Law Class of 2017.

Both Moore and fellow volunteer Jamila Carter, a 2019 UK Rosenberg College of Law graduate, are attorneys in the Lexington, Kentucky, office of Stoll Keenon Ogden PLLC.

“I did moot court in law school, and I really enjoyed the experience,” Carter said. “I wanted

to help the budding, bright future of the legal community and really help mentor and guide the future lawyers who I’m going to be working with and people who are going to be able to change the world.”

Attorney William L. Davis, UK Rosenberg College of Law Class of 1977, said he was motivated to volunteer as a justice because both his undergraduate (Berea College) and law school (UK) alma maters were sponsors.

“I wanted to help young people. I’m also involved in helping young people in our community, and I wanted to see the progress being made with the young generation because all I hear in the news is about how the young generation is letting us down,” Davis said. “But

these people sound like they are professional lawyers even though they’re undergraduates.”

Current UK law students were also on hand during the tournament to serve as bailiffs and timekeepers.

Abby Schueler, a third-year law student and Berea College alum, served on the planning committee for the tournament and recruited the student bailiffs and timekeepers.

“This has been an incredible opportunity for the College of Law,” Schueler said at the awards ceremony. “Every participant here these past two days did something very incredible, and very hard. I hope that you go home tonight with an immense and well-deserved sense of pride because you all deserve it.”

Great Teachers 2023: Jennifer Bird-Pollan guides students through complicated tax law

In February, the University of Kentucky Alumni Association honored the six recipients of this year's Great Teacher Awards. Launched in 1961, they are the longest-running UK awards that recognize teaching. UKNow highlighted the passionate and accomplished educators who were named a 2023 Great Teacher.

Jennifer Bird-Pollan, Ph.D., associate dean in the University of Kentucky J. David Rosenberg College of Law, is one of this year's Great Teacher Award recipients. She joined the UK faculty in 2010 and is now the Judge William T. Lafferty Professor of Law. She teaches federal income tax, estate and gift tax, international tax, partnership tax, corporate tax and a seminar in tax policy.

"Part of what I love about my area is that it touches so much of what happens, not just in

the law, but in society and in people's lives more broadly," said Bird-Pollan.

Bird-Pollan's research is focused on tax law and philosophy, specifically the taxation of wealth transfers and issues of sovereignty in international taxation.

She received her J.D. from Harvard Law School, her Ph.D. in philosophy from Vanderbilt University and her B.A. in philosophy and French from Penn State University. Before law school she taught undergraduate philosophy courses at Vanderbilt and at Harvard College.

"Teaching is just so fun," she said. "Watching students get to take a knotty problem — they're sweating, they're thinking so hard and they hit that moment of understanding and that's such a satisfying moment."

Prior to coming to UK, Bird-Pollan practiced law as an attorney in the tax department of the law firm of Ropes & Gray in Boston, focusing primarily on partnership tax and non-profit tax law.

In order to receive a Great Teacher award, educators must first be nominated by a student. The UK Alumni Association Great Teacher Award Committee, in cooperation with the student organization Omicron Delta Kappa, then makes the final selection. Recipients receive an engraved plaque and stipend.

C.E. HUFFMAN

“

Teaching is just so fun. Watching students get to take a knotty problem — they're sweating, they're thinking so hard and they hit that moment of understanding and that's such a satisfying moment.”

Jennifer Bird-Pollan



FACULTY & STAFF NOTES



Jennifer Bird-Pollan was one of six recipients across the university to receive a Great Teacher Award from the University of Kentucky Alumni Association. Pollan, associate dean of academic affairs, joined the UK faculty in 2010 and teaches federal income tax, estate and gift tax, international tax, partnership tax, corporate tax and a seminar in tax policy.



Zachary Bray and Melynda Price received a \$2 million grant from the Andrew W. Mellon Foundation to establish the Monument Workshop at UK, which will bring together interdisciplinary experts, outside artists, and local community leaders with the legal assistance necessary to help Kentucky communities create more complete stories of the Commonwealth and what the Commonwealth can be in the future.



David A. Brennen was appointed chair of the Bluegrass Care Navigators 2023 Board of Directors. Brennen has served on the board since 2014. Bluegrass Care Navigators provides physical, emotional, and spiritual care to thousands of seriously ill patients and their families in Kentucky.



D'lorah Hughes, Legal Clinic director, was appointed to the Lexington-Fayette Urban County Government Ethics Commission as the representative for the League of Women Voters of Lexington for 2023-2027. Hughes takes over from Shayla Lynch who served as the League of Women Voters of Lexington representative from 2019 to 2023, and now serves as a Lexington City Council Member for District 2. The Ethics Commission issues advisory opinions and hears matters concerning possible violation of the Ethics Act.



Mark Kightlinger was named the 2023 Robert M. and Joanne K. Duncan Faculty Teaching Award recipient. Every year, a UK Rosenberg Law faculty member is recognized for excellence in the classroom, courtesy of the fund established in 1982 to promote outstanding teaching performance at the college.



Jimmi Nicholson, UK Rosenberg College of Law director of admissions, received the Staff Award at the university's annual Coretta Scott King Celebration Dinner. The award is presented to a staff member whose character, research, teaching, mentorship to others and selfless service exemplifies the life and legacy of Coretta Scott King.



Danny Murphy, senior assistant dean of community engagement and operations, was appointed chairman of the board for the following organizations: Partners for Rural Impact, Inc.; Junior Achievement of the Bluegrass, Inc.; and the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas counties.



Michael D. Murray presented at the Ninth Annual Applied Legal Storytelling Conference at The City Law School of City, University of London held July 26-28, 2023. The conference examines the use of stories, storytelling, or narrative elements in law practice, legal education, and the law. Murray is an expert on artificial intelligence and the law and presented, *Dystopia or utopia, freedom through disruptive innovation or enslavement in traps of fraud and greed – Telling the Legal Narratives of Artificial Intelligence, Cyberspace and the Metaverse*.



Beau Steenken was appointed vice president/president-elect of Southeastern Chapter of the American Association of Law Libraries. SEAALL promotes law librarianship and developing and increasing the usefulness of law libraries, particularly those in the Southeastern area of the United States.

Chris Parker of UK Facilities Management Earns GED With Help of Friends at College of Law

On Thursday, May 11, Chris Parker from UK Facilities Management walked across the stage and obtained his GED. He has actively been working toward his goal of getting a GED for five years.

In high school, Parker couldn't pass a class in his senior year, so he had to retake it during summer school. He walked across the stage with the rest of his class at graduation but never received a diploma because of that one class. So, he joined the United States Navy. Despite being told that he could get his GED while in the Navy, it never happened. Then, he was deployed to serve in Operation Desert Storm. After that, things changed. His priorities shifted, leading him to leave the military.

In September 1994, Parker got a job as a custodial worker at the University of

Kentucky. Over time, he worked his way up to a custodial lead position, which he is still in today. His supervisor, Marianna Marsh, started encouraging Parker to get his GED and move up even more within the organization, so he decided to start taking classes and see if he could finally complete what he had left unfinished all those years ago.

In his 29 years with Facilities Management at UK, Parker has worked all over campus. But the building that he's currently assigned to is extra special to Parker: the UK J. David Rosenberg College of Law. It's in that building where he's made connections that he feels helped him to finally be able to obtain his GED. Danny Murphy, Vanessa Metzgar, and Kimberly Schindler are all law school employees whom Parker wants to thank for their support. When



they found out that he was struggling with math, they started quizzing him with math problems while he was cleaning. Parker also met a law student named Desmond Varner who became Parker's tutor, even coming to his house on the weekends to work with him.

JENNIFER SMITH

Legal Clinic Celebrates 25 Years



Navigating the logistics of the legal system can be as perplexing as learning a new language. In most instances, you would turn to a lawyer as an interpretive guide. But, for so many Kentuckians, legal representation is a luxury.

In 1997, the University of Kentucky J. David Rosenberg College of Law set out to bring equality to the legal process. That vision led to the creation of the UK Legal Clinic.

“There is so much unmet legal need across our state and for many, no meaningful access to the justice system,” explained D’lorah Hughes, director the UK Legal Clinic. “While the Legal Clinic alone will not meet that need, we can help to bridge that gap and provide access to people who would otherwise be without a voice.”

Tucked away in a small house on Maxwelton Court, you’ll find third-year law students, supervised by the clinic director, providing free advice, consultation and, if needed, in-person representation to low-income clients on a variety of civil legal matters — from divorce to insurance claims.

“The Clinic supplements a law student’s education with skills not covered in ordinary classroom courses. Clinical education does this by providing students with the opportunities to interview clients and counsel them,” said former director Allison Connelly, who led the clinic from its inception until 2021. “Serving as the director of the UK Legal Clinic was my greatest honor and accomplishment. The Clinic gave me the incredible opportunity to serve as a mentor and teacher to the many students that crossed the threshold of the Clinic’s door and the responsibility for preparing third-year law students not merely to be competent attorneys, but excellent attorneys.”

When Connelly decided it was time to retire in 2021, the Legal Clinic was shuttered for a few semesters. So, the main challenge was getting operational again. That led to the first-ever search for a new clinic director.

Hughes, a Lexington native and Duke University School of Law graduate, joined UK’s Rosenberg College of Law in June 2022, as director of legal clinics and externships and associate clinical professor. For her, the chance to return home and share her passion for justice with UK students was impossible to pass up.

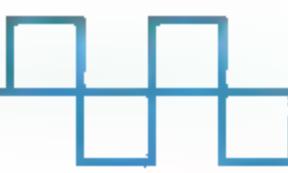
“In ideal circumstances, there would be a semester to get your feet wet, learn the legal landscape of the community, and take time for setup. But I did not want a single additional UK law student to miss an opportunity to participate in the clinic course, so we jumped right in and opened the doors immediately upon arrival,” Hughes said.

Eight to 10 students each semester are challenged with interviewing clients, drafting legal documents, filing pleadings and conducting discovery. Whether students choose to pursue a career in public interest law or private practice, UK’s Legal Clinic offers an exceptional introduction to the realities of legal practice and client representation.

“In seeing a case from beginning to end, I learned how quickly things change and how much of ‘lawyering’ is predominately communicating with parties outside of any formal court proceeding,” said Holly Couch, a UK law student who works in the clinic. “I was surprised at how eager our clients are, not only to receive legal assistance, but also to have part in the hands-on education of 3L soon-to-be attorneys.”

The Legal Clinic’s mission has always been committed to delivering high-quality legal representation to clients, while providing law students with an opportunity to practice law and pursue justice with passion, empathy and integrity.

“During my 24 years as director, the Clinic opened thousands of cases without charging a single client a single penny,” Connelly said. “Every case the Clinic accepted became a major moment of accomplishment for the student who handled that case and for the client that student represented.”



“

The greatest achievement in clinical education is, as always, seeing each student do excellent work on behalf of their clients.”

D'Iorah Hughes



And for the students who participate in the clinic, the “real-world” experience is priceless.

“I have learned the valuable communication skills required when talking with clients in order to get the information that is needed in order to help them, but also in understanding the complexities of the emotions that are unavoidable when facing a problem in need of legal assistance,” Couch said.

On March 24, 2023, the Legal Clinic held a ceremony to celebrate 25 years impacting Kentucky lives. Hughes hopes to expand the clinic’s work into new legal practice areas and further their impact throughout

the Commonwealth — all while upholding the motto to “offer the best civil legal representation money can’t buy.”

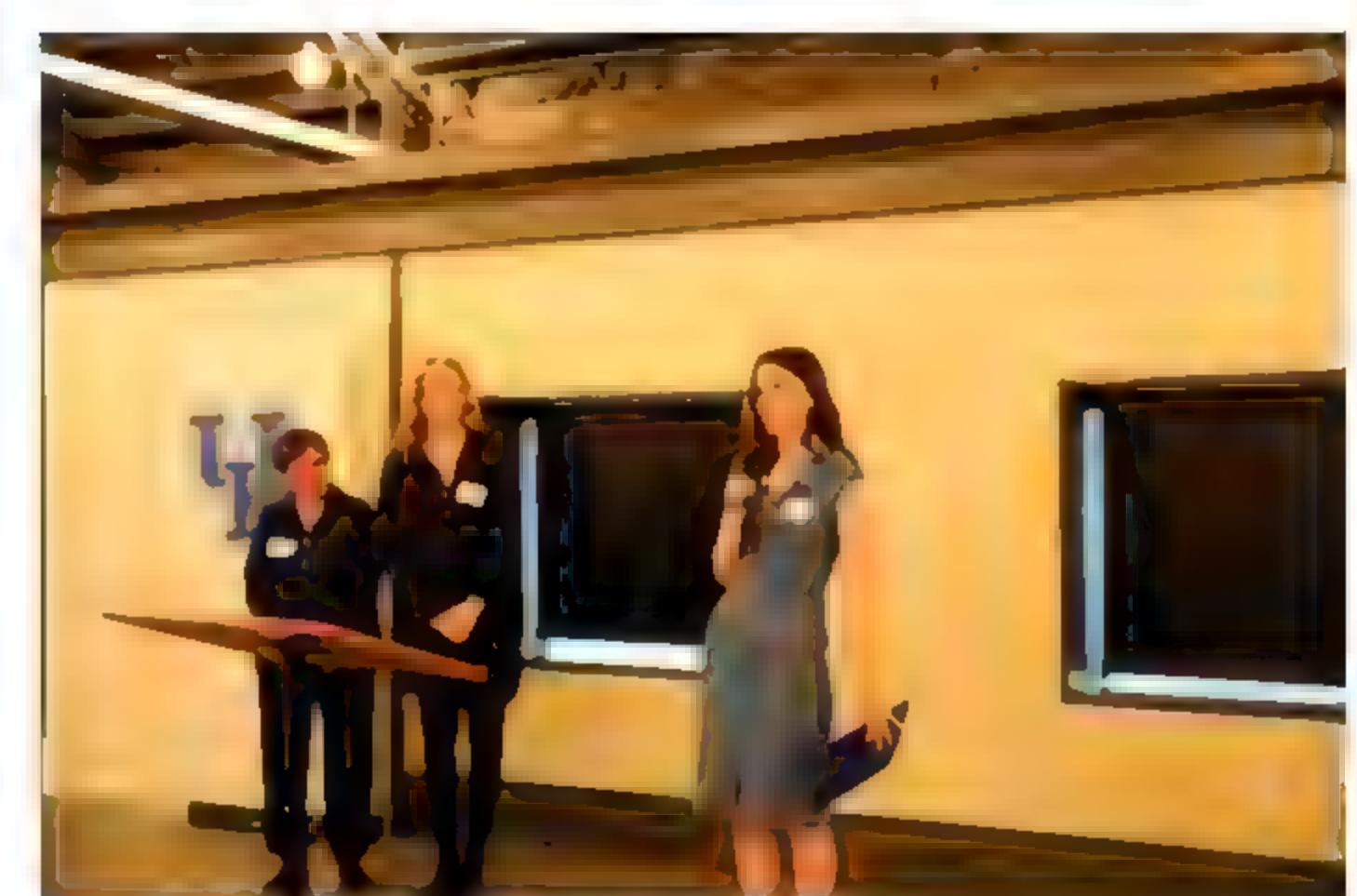
“The greatest achievement in clinical education is, as always, seeing each student do excellent work on behalf of their clients,” Hughes said. “The clients receive free high-quality, legal representation while the students learn the art and skill of being a zealous advocate. The Legal Clinic and the students providing its services have a profound impact on the community. It doesn’t get much better than that for a clinical professor.”

C.E. HUFFMAN

On March 24, 2023, University of Kentucky J. David Rosenberg College of Law alumni, faculty, students, and friends gathered at Limestone Hall in downtown Lexington to celebrate the Legal Clinic’s 25th anniversary. Several Legal Clinic clients also attended.

The Professor Allison Connelly Seek Justice Awards were presented to three students. Holly Couch received an award for extraordinary contributions to the Legal Clinic. Iman Ali received an award for outstanding 2L member of the Trial Advocacy Board. Faith Evans received an award for demonstrating exceptional legal aptitude as a 1L.

During the event, guests had an opportunity to bid on group photos of Legal Clinic students, which are taken each semester. Money raised from the silent auction supports the ongoing work of the Legal Clinic.



Meet the Newest Members of Our Faculty



University
of Kentucky
J. David
Rosenberg
College
of Law is
pleased to
announce
seven new
faculty. We
are excited to
welcome this
impressive
group to our
law school as
they become
part of the
distinguished,
world-class
faculty at
the UK
Rosenberg
College of
Law.



Laken Albrink
Assistant Clinical Professor of
Legal Research and Writing

Albrink is a first-generation college graduate and UK Rosenberg College of Law alumna. She brings experience in higher education, state government, and private practice. Albrink comes to our law school from Morehead State University, her undergraduate alma mater, where she served as Legal Studies Program Coordinator, Assistant Professor of Legal Studies, Student Conduct Hearing Officer, and Law Clinic Coordinator. Prior to joining Morehead State University, Albrink served as Executive Advisor for the Commonwealth of Kentucky Cabinet for Health and Family Services and Special Attorney for the Kentucky Attorney General Office of Child Abuse & Exploitation Prevention.

Albrink's scholarship focuses on trauma-informed legal advocacy and elevating first-generation student success. In Albrink's published article *Cultivating Justice for Survivors of Sexual Assault in America's Agriculture Industry*, 6 Ky. J. Equine, Agric. & Nat. Resources L. 347(2014), she discusses the increased vulnerability of women working in the agriculture industry to become victims of sexual assault, especially those who are undocumented immigrants, and the lack of criminal convictions against farm supervisors and other perpetrators leading to a culture that keeps the victims fearful and silent. Albrink obtained her Juris Doctor in 2015 from the University of Kentucky J. David Rosenberg College of Law.



Tiffany D. Atkins
Assistant Professor of Law

Atkins previously served as an associate professor of law at Elon University School of Law, where she taught first-year legal writing, upper-level writing courses, as well as doctrinal subjects – Race and the Law and Family Law. Prior, Atkins was a staff attorney with Legal Aid of North Carolina, where she litigated family law, public housing law, unemployment, and educational justice cases. Atkins' scholarship centers around race, equity, and human rights; more specifically, she is interested in how law, culture, and systems impact the ability of Black people, people of color, and members of marginalized groups, to exist freely and fully in society. Her first full-length article,

#FORTHECULTURE: Generation Z and the Future of Legal Education, examined this within the context of law school classrooms, and her latest article, *These Brutal Indignities: The Case for Crimes Against Humanity in Black America*, looks at the structure of domestic and international law, recognizing them as barriers to the full protection of Black human rights. Prior to joining the faculty at Elon Law, Atkins completed a two-year fellowship at Elon in 2018 and was a visiting assistant professor at Wake Forest Law School in 2019. Atkins received her law degree from Elon University School of Law and her Bachelor of Arts from the University of North Carolina at Greensboro. Atkins was also the 2011 recipient of the prestigious David Gergen Award for Leadership and Professionalism.



Shavonnie Carthens
Assistant Professor of Law

Carthens teaches health care law, public health law and equity and civil procedure for UK Rosenberg College of Law. Her scholarly interests examine issues of environmental justice and health equity, with a focus on the ways in which the law can be a tool for improving access to healthy living environments. She also researches and writes at the intersection of legal literacy, race, and the First Amendment.

Carthens has consistently served others in her local and professional communities. She is an active member of the Legal Writing Institute, where she sits on the organization's Pro Bono and Community Outreach Committee, as well as on the board for The Second Draft, a peer-reviewed publication dedicated to sharing ideas related to teaching legal research and writing. She also serves on the ABA Commission on Women in the Profession, Parenthood & Child Caregiver Study Advisory Council.

Carthens joins the faculty at UK Rosenberg College of Law after holding the position of assistant professor at the University of Louisville, Brandeis School of Law. She earned her J.D., with honors, from North Carolina Central University School of Law and her B.A. from the University of North Carolina at Chapel Hill.



Ilana Friedman
Assistant Professor of Law

Friedman received her Ph.D. in sociology from the University of Texas at Austin, a J.D. from the Saint Louis University School of Law, and an M.A. (awarded with distinction) from Saint Louis University. She brings expertise in civil rights and criminal defense litigation to questions at the intersection of law and society.

In her research, Friedman studies the occupation of American policing and analyzes legal professionals' discretionary decision-making practices. Her dissertation, "The Rarity of Police Prosecution: Prosecutors, the Law, and Police Misconduct," draws on in-depth interviews with civilians and legal professionals working in the domain of police suspect investigations and prosecutions to better understand the legal processes alongside the organizational structures involved with the investigation and prosecution of police misconduct.

At UT-Austin, Friedman served as co-coordinator of the Crime, Law, and Deviance working group, was a fellow of the Urban Ethnography Lab, and a graduate affiliate of the Rapoport Center for Human Rights and Justice. Friedman has professional legal experience as a staff associate at the Chicago Lawyers' Committee for Civil Rights where she worked on the Police Accountability Project, and at the law firm of Schwartz, Herman, and Davidson, specializing in federal criminal defense and civil rights litigation.



D'Iorah Hughes
Director of Clinics and Externships/
Associate Clinical Professor of Law

Hughes, H. Wendell Cherry Associate Clinical Professor of Law, joined the UK Rosenberg College of Law in June 2022 and serves as the Director of Legal Clinics and Externships.

A native of Lexington, Hughes returned to Kentucky from the University of California, Irvine School of Law where she was Director of Externships. Hughes has also held academic positions at the University of Arkansas School of Law-Fayetteville, Case Western Reserve University School of Law, and Wayne State University Law School.

She has directed and taught clinics in the areas of juvenile law, criminal law, and health law, and she developed a post-conviction clinic in response to the U.S. Supreme Court decision in *Miller v. Alabama/Jackson v. Hobbs*, which held that mandatory life-without-parole sentences for all children 17 or younger convicted of homicide are unconstitutional.

Hughes received her J.D. from Duke University Law School and her B.A. in liberal arts with a concentration in sociology from California State University, Long Beach. She previously practiced law as a deputy public defender for the Orange County Public Defender's Office in California and as a staff attorney at the AIDS Legal Assistance Project at the Law Foundation of Silicon Valley.



Alexandra Jean Sipes
Assistant Clinical Professor of
Legal Research and Writing

Sipes served as a senior associate attorney with NOVA Business Law Group in the commercial litigation practice in Fairfax, Virginia. She is a graduate of George Mason University School of Law, where she has also served as an adjunct professor for the first-year legal research, writing, and analysis program as well as a coach for the trial advocacy association. While in law school, she served as a research editor on the Civil Rights Law Journal and competed in the American Association of Justice Student Advocacy Competition where her team won the D.C. Regional and went on to place second in the national competition. Upon graduation, Sipes was awarded the Virginia Trial Lawyers' Association Student Advocacy Award.

After law school, Sipes served as a judicial law clerk to the Honorable Daniel S. Fiore II at the Arlington County Circuit Court. Prior to joining NOVA Business Law Group, she worked in private practice in Northern Virginia where she litigated a diverse case load, including catastrophic personal injury, automobile accidents, professional liability, employment disputes, premises liability, and construction and commercial disputes.



Raquel K. Wilson
Assistant Professor of Law

Wilson, a New York native, graduated magna cum laude from Rice University, with a Bachelor of Arts in political science. After receiving a Juris Doctor from Stanford Law School, Wilson served as law clerk to the Honorable Robert L. Hinkle, at the United States District Court for the Northern District of Florida from 1996 to 1998. After her federal court clerkship, Wilson remained in Florida to practice law as an associate attorney for the Earthjustice Legal Defense Fund from 1998 to 1999. Wilson then served 10 years as an Assistant Federal Public Defender, first in the Southern District of Texas and then in the Western District of North Carolina.

For 13 years, Wilson provided legal and policy advice to the United States Sentencing Commission, first as Deputy General Counsel, and for the last six years as director of the Commission's Office of Education and Sentencing Practice.

Artificial Intelligence and the Practice of Law: Lawyers Must be Professional and Responsible Supervisors of AI

CLOSING FACULTY THOUGHTS BY MICHAEL D. MURRAY

Artificial intelligence is not coming to take our lawyer jobs (yet). AI is a tool. A really magnificent, skilled, knowledgeable tool that learns to do legal tasks and does them well at amazing speeds. But until AI gains the status of "Artificial General Intelligence" and self-awareness—sometimes referred to as the point of "singularity"—AI is not going to squeeze attorneys out of their positions.

Large language model verbal generative AI systems such as GPT-4, ChatGPT, Bing Chat, and Google Bard,¹ are increasingly making themselves valuable for the time-efficient and cost-effective practice of law, and perhaps soon, some attorneys may decide that they are indispensable. But as Voltaire and Spiderman's Uncle Ben said, with great power comes great responsibility, and the use of AI to support legal practice requires professional and responsible supervision.

Use of an AI system to perform legal research and draft legal briefs without supervision by the attorney can have disastrous consequences.² This is because however clever and human-like an AI system can make itself appear through the words it generates, the system is only mimicking human language and human reasoning. The effect is profound. The results of an AI generated response to a legal question or the work product from the tasking of a legal assignment are perfectly worded with all the right grammar, syntax, punctuation, and usage; they are well-organized and responsive to the entire prompt; and they often are completely correct under general law and sometimes completely correct under a specific jurisdiction's law. But the results of AI generated research and analysis and drafting can be 10%, 50%, or 100% wrong because of the following factors or conditions that coincide with the powers of the AI systems:

AI systems hallucinate. It may come as quite a shock when you read a lucid, perfectly drafted, and impressively organized AI generated legal brief or memoranda to find that the AI made up every source that it cited in the document. As noted in the New York Times' account of the *Mata v. Avianca Inc.* lawsuit,³ ChatGPT, which generated a brief responding to the prompts of Mr. Mata's attorney, but acting without the supervision of Mr. Mata's attorney, completely fabricated the citations, holdings, and even direct quotes of at least six cases crucial to the generated arguments in the brief. Opposing counsel and the trial judge himself could not find any actual cases that contained the quotes, let alone find the cases with the style and citation invented by ChatGPT. And yet Mata's attorney swore (by affidavit) that he had asked (prompted) ChatGPT to verify that the cases it was citing were real, and ChatGPT gamely stated, yes, these are real cases.⁴

The answer is not that ChatGPT had a neurological episode that day or experimented with some virtual digital hallucinogen, but simply that ChatGPT, as a large language model verbal generative AI system, does not "know" what it is talking about. It does not understand each sentence that it writes, it just is trained to produce coherent and correctly worded and punctuated sentences and paragraphs responsive to a text prompt. It is quite remarkable that these sentences and paragraphs are completely readable and coherent from top to bottom. But when it comes to following a system of legal method and citation, large language model verbal generative AI systems recognize that a certain combination of words (the style of a case) and certain abbreviations and numbering (the citation information) should appear after the period of a sentence in a legal brief or memorandum, but the AI system does not relate that need to a basic requirement that the "citation" generated actually exist and actually pertain to a relevant, real life case or legal source that actually says important things about the law and has a holding that contributes to the analysis and resolution of the actual client matter at hand.⁵

AI systems aim to please, but they lack judgment, wisdom, honesty, and legal experience. Verbal generative AI systems are a little bit like Thomas the Tank Engine: they strive to be a very useful engine but can only be useful when they stay on the rails. And to complicate matters, AI systems don't know when they have gone off the rails, and they often will lie if you ask them, in effect, "Have you gone off the rails?" If you catch them in a lie, the more conversationally gifted systems might apologize—Bing Chat sometimes seems properly ashamed when you catch it making a mistake based on the downcast frownie face emoji it displays at the end of its apology. But minutes later it will make the same mistake again even if you remind it not to.

The fact is the machine does not know it lied. It does not have inner malice or scienter or emotional motivation of any kind (although it will fake such emotions if you persist in asking it questions about its feelings and dreams, etc., begging it to go off the rails for you⁶). We tend to personify creatures and things that appear to have intelligence, but in the end an AI system is a machine. It remembers, it writes, it may even speak, and its outputs appear reasonable even if it did not engage in actual reasoning. But for now, a verbal generative AI system is not self-aware, it can only mimic wisdom, and its judgment depends on how you tell it to process your questions.

Mistakes arise from self-training. It is not the case that the developers of these massively powerful large language model systems intentionally programmed them to be dishonest, but rather that it is hard to program an artificially "intelligent" machine in honesty, wisdom, and good judgment when the whole design of these state-of-the-art systems is to let the machine teach itself. The great leaps in advancement of machine learning artificial intelligence came in very recent years when the AI developers noticed that the machines had taught themselves to do tasks that the developers had not intentionally trained them to accomplish. Instead of shutting the machine down immediately and running from the building, the AI developers celebrated, because if the AI can learn skills and collect information on its own, without human direction or prompting, and can do it at speeds far exceeding the speed at which human programmers could feed information to the AI, then the AI systems can train themselves on massively large datasets—the entire internet for example, minus a few paywall protected areas or walled gardens. Thus, with their speed of access, the current systems have trained themselves on sources containing hundreds of billions of words and images, and if speculation is correct, the numbers might be into the trillions.

What does the large language model do with all that data? It learns what language on a given topic or question looks like based on what the hundreds of thousands or millions of samples of writings on the internet have said about that topic. When you ask it a question about that topic, it synthesizes the lessons of the hundreds of thousands or millions of samples speaking about that topic to calculate, with a guided form of statistical analysis that tells the machine which words should appear in each sentence, which words should precede or follow which other words, and subbing out less advantageous words for better words as the writing takes shape. If this process seems incongruous or even ridiculously unlikely to result in coherent prose, consider that this process is not remarkably different from how human authors learn to answer questions on a topic and learn to write in a new genre or style. If you want to learn how to answer questions on a legal issue, you will read sources that discuss the issue, and you will learn the words and sentences and paragraphs that make up the analysis and answers. If a human author wants to learn how to write in the style of an

admired jurist or how to write appellate briefs like expert appellate advocates do, you would read dozens or even a hundred or more of the judge's opinions or look at scores or even hundreds of briefs (and guidance in law school texts and teaching materials) until you became comfortable recreating the style of the authors and the briefs. The large language model verbal generative AI systems are doing the same tasks but at a hugely different scale and speed.

Why would this process of unguided and unsupervised reading and statistical analysis of writing be enough to answer actual legal questions or draft contracts or other instruments? Because the AI seeks to look at sources that discuss the issue, analyze the issue, and provide answers to the issue, the AI learns what good answers and good analyses look like. With contracts and instruments, it reads and analyzes examples of the works, and also looks at works that leave blanks or fill in missing details, and the AI can process the details you give it to fill in to the answer or form that it is creating. This is one explanation for the hallucinated cases and citations: the AI observes that word combinations and numeric combinations and abbreviations should follow sentences in a work of legal writing, it just doesn't understand that citations need to be the actual sources used to form the answer. The AI most likely did not limit itself to a handful of relevant controlling authorities when it wrote its answer, it just read as many analyses, articles, memoranda, briefs, blog posts, and commentary as it could find on the topic and statistically produced the most relevant and responsive combination of words to address the prompt. With contracts and instruments, an AI system will read as many examples as it can, noting the kind of information that needs to be inserted or replaced from contract to contract, comparing it to the information you, the operator, fed it about the case at hand (in hypothetical form, respecting client confidentiality, of course!), and working with both to draft a responsive, fact-specific contract or instrument.

What can lawyers learn from this commentary on working with AI support tools? There are several lessons that can be learned from the large language model generative AI process of self-training and generating responses to prompts:

Ask AI to assist you with tasks where you will already know what the research, sources, and form of the response should look like. In the past, I have given this advice to law students and attorneys who are performing research on the open web as opposed to the curated sources of Westlaw or Lexis. It is a lot easier to evaluate whether you've been given correct sources, correct legal information, and correct forms and models if you already know what correct sources, correct information, and correct forms and models should look like. This goes double when the service you are contacting is prone to hallucinating and inventing sources because the AI will give no visual clues that the information provided is incorrect or the citations given are nonexistent. The citations will look like real citations, and may even be from the right jurisdictions that should be cited in answering the question. But when you actually look them up, the party names don't go with the citation, or the case description or quotation does not go with the party names or the citation. If you ask an AI to produce a form for a durable power of attorney for health care decisions, it will really help you to evaluate the results if you already know what durable powers of attorney for health care decisions look like. Otherwise, you have to do a second or third search on a different service (Westlaw, Lexis, or a more reputable curated legal database) for a form to compare with the AI's form, and at that point did the AI save you any time? An unreliable narrator may be an irritating device in the exposition of the narrative of a novel, but an



unreliable cocounsel could be a nightmare if you cannot observe at a glance that the cocounsel's work is erroneous, misleading, or incomplete.

Don't ask the AI to make choices or exercise discretionary judgment; ask the AI to summarize, analyze, explain, translate or make connections. Some of the more bizarre trips off the reservation with AI happen because the human operator asked the AI to apply personal values in an exercise of discretionary judgment. AI is not (yet) the equivalent of a human being with both knowledge and life experience that leads to values, ethics, morality, and other human and humane characteristics. AI isn't good at value judgments, although it will tell you what it has read about other people's value judgments, choices, or opinions on a given topic. But you can get useful information if you stick to what the AI is good at: reading, summarizing, analyzing, explaining, translating, or making connections using facts, datasets, and publicly available legal sources.

An AI can review hundreds of thousands of documents in a matter of hours,⁷ and answer innumerable questions about the contents, meaning, and connections between the documents. Humans cannot keep up with the machines because of their limited time, need for sleep, alertness, and attention span. An AI can instantly translate whole documents into a new language and capture the right nuances of meaning, tone, and usage to make the work as readable in the new language as it was in the original.⁸ Human translation services are massively time-consuming and expensive. So, it seems rational and efficient to give document review and translation to an AI to perform. A shorthand for this advice is, leave to AI the things that AI is great at, but leave to human lawyers the talents and skills—good judgment, life experience and practice experience, wisdom, ethics, and professionalism—that will remain uniquely human.

I conclude by stating that an AI may not be moving in to take your job, but an attorney or law firm that has embraced AI and learned to make use of its strengths and efficiencies will compete more effectively against you and your law office. AI does not do everything perfectly, but it does some things so well that you should invite it in and get to know it. Just remember to supervise everything it does. AI is new to law practice, and you wouldn't want to set a brand new associate or extern off on an important legal task unsupervised, would you?

Visit <https://ssrn.com/abstract=4478588> for citations.



Law School Hosts Chief Judge Sri Srinivasan as part of The Heyburn Initiative

The John G. Heyburn Initiative for Excellence in the Federal Judiciary and the University of Kentucky J. David Rosenberg College of Law hosted the Honorable Sri Srinivasan, chief judge of the United States Court of Appeals for the District of Columbia Circuit, in January 2023 as part of a two-day, jurist-in-residence program.

On Friday, Jan. 27, Srinivasan spoke to law students in several combined classes, including Constitutional Law I and Constitutional Law II. He also met with law faculty and administrators as well as Heyburn Initiative board members.

Judge Amul Thapar, United States Court of Appeals for the Sixth Circuit, moderated “A Conversation with The Honorable Sri Srinivasan” Friday afternoon in the G. Chad Perry III Grand Courtroom of the UK Rosenberg College of Law. Srinivasan talked about his background and the progression of his career.

Srinivasan was born in Chandigarh, India, and raised in Lawrence, Kansas. He was appointed to the U.S. Court of Appeals for the District of Columbia Circuit in May 2013 and became chief judge in February 2020. Srinivasan received a B.A. from Stanford University, a J.D. from Stanford Law School, and

an M.B.A. from the Stanford Graduate School of Business. Following graduation, he served as a law clerk to Judge J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit, as a Bristow Fellow in the Office of the U.S. Solicitor General, and as a law clerk to U.S. Supreme Court Justice Sandra Day O’Connor.

During the event, University of Kentucky President Eli Capilouto introduced Dr. Martha Heyburn, chair of The Heyburn Initiative Advisory Board, praising Heyburn for her vision in honoring her late-husband John G. Heyburn II. John G. Heyburn II was known as a master of the courtroom, an artful chief judge, a leader in funding the judiciary and a modernizer of the procedures governing the nation’s most complex and intractable lawsuits.

Heyburn said her hope is that The Heyburn Initiative and its programs will “contribute to making this amazing university ever-better, the law school ever-better, and our Commonwealth – because these students will go out in the community and make the rest of Kentucky better.”

The Heyburn Initiative is a nonpartisan initiative devoted to the preservation and study of U.S. Judicial history. The initiative hosts conferences provided by entities such as the

Administrative Office of the U.S. Courts and the Federal Judicial Center. The initiative serves as a resource for the federal judiciary to educate, develop and distribute best practices, and to improve the quality of judges. In addition, the initiative seeks to create a complete history of all Kentuckians who have served in the federal judiciary, with archives and oral histories managed by UK Libraries.

As part of The Heyburn Initiative program, Eric Olson, Colorado Solicitor General, met with the OUTLaw student organization to discuss his argument before the U.S. Supreme Court in the case of *303 Creative LLC v. Aubrey Elenis*.

On the second day of the jurist-in-residence program, Srinivasan met with small groups of law students, including students selected from the boards of the college’s two law journals (the Kentucky Law Journal and the Kentucky Journal of Equine, Agriculture and Natural Resources Law), Moot Court Board, Trial Advocacy Board, and the Diversity, Equity, and Inclusion Student Advisory Board – as well as UK Rosenberg College of Law faculty and invited guests from the legal community.

College Presents Inaugural Installment of

'Peter Perlman Lessons in the Law' Series

The UK J. David Rosenberg College of Law launched the Peter Perlman Lessons in the Law Series on April 19, 2023. The public was invited to attend the free program and learn the law from local legal leaders.

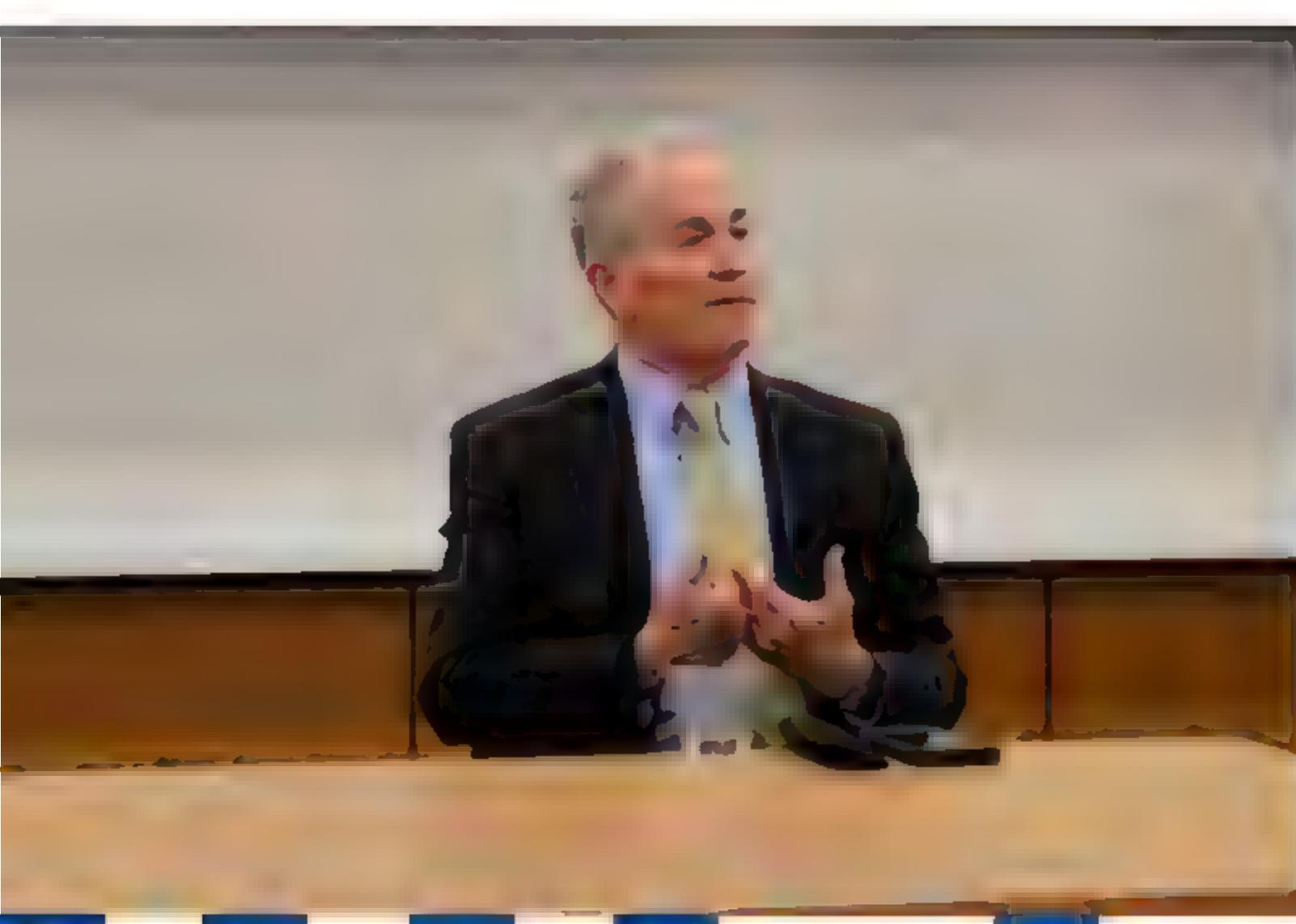
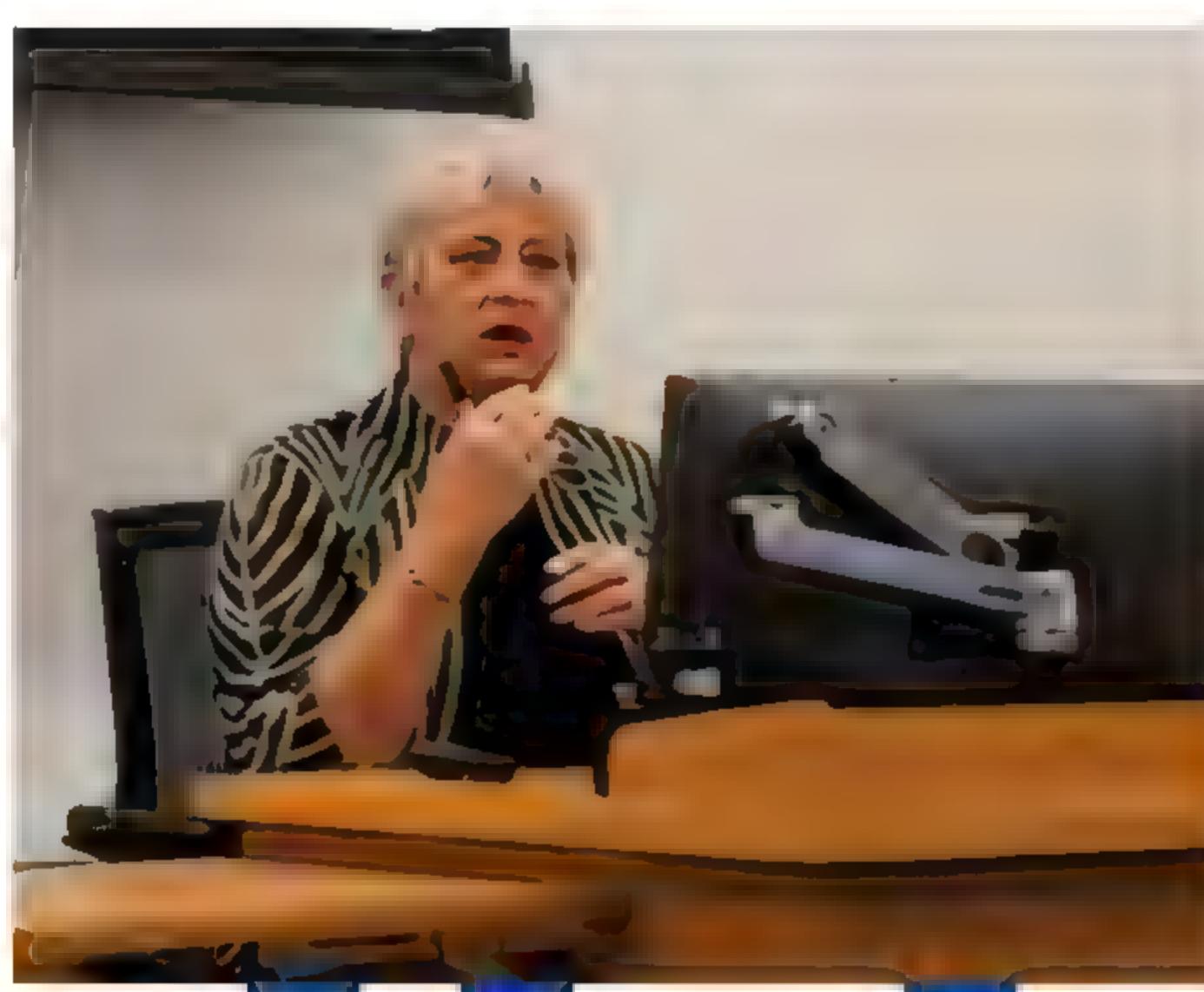
The series premiere focused on "How Kentucky's Court System Works." A panel of four distinguished judges discussed the types of cases handled in each court, how cases move through the system and more.

Panelists included: the Hon. Laurance B. VanMeter, chief justice of Kentucky; the Hon. Pamela R. Goodwine, chief judge pro tem, Kentucky Court of Appeals; the Hon. Kimberly Nell Bunnell, chief circuit judge, Fayette District Court; and the Hon. Bruce T. Bell, chief district judge, Fayette District Court. Justice Mary C. Noble, retired, served as moderator.

The Lessons in the Law Series has been the vision of Peter Perlman. He graduated from the law school at UK in 1962. Perlman went on to be inducted in the Law Alumni Association Hall

of Fame in 1998, the highest honor bestowed by the college. UK Rosenberg Law leaders decided to name the series after Perlman in honor of his hard work to implement free community education.

An advisory board was created to help produce this event. Members include: William E. Johnson, John G. McNeill, retired Justice Mary C. Noble and Christine L. Stanley. All are alumni of the Rosenberg College of Law.



CLASS NOTES

2020s



Bailey M. Browning (2022) joined Stites & Harbison PLLC in the Lexington office as a member of the Business & Finance Service Group.



Jay L. Phillips (2022) has joined Sturgill, Turner, Barker & Moloney PLLC in Lexington in the Business Law Practice Group, focusing on entity formation and governance, intellectual property, healthcare compliance, and estate planning.



Sarah-James Sendor (2022) was promoted to associate attorney at Elder Law Guidance.



Caroline A. Augenstein (2021) joined Stites & Harbison PLLC in the Construction Service Group.



Henry Collier Clay (2021) joined Dentons Bingham Greenebaum LLP in Louisville as an associate in the Tax Group.



Zachary Losey (2021) joined Stites & Harbison PLLC in the Louisville office as a member of the Business Litigation Service Group.



Savannah G. Baker (2020) has joined Sturgill, Turner, Barker & Moloney PLLC in Lexington in the Government and Municipal Law and Employment Law practice groups.



Madeleine B. Loeffler (2020) has joined Sturgill, Turner, Barker & Moloney PLLC in Lexington in the Healthcare Law and Medical Malpractice Defense Practice Group.



S. Patrick Riley (2020) has joined Sturgill, Turner, Barker & Moloney PLLC in Lexington in the Education Law Practice Group, focusing on education, governance, and employment issues.



Kyle S. Schroader (2020) joined Stites & Harbison PLLC, in the Lexington office as a member of the Torts & Insurance Practice Group.



Patrick W. Wells (2020) joined Dentons Bingham Greenebaum LLP in Louisville as an associate in the Corporate Group.



Gentry C. Collins (2018) has been elected to the Children's Advocacy Center of the Bluegrass Board of Directors. She will serve a three-year term. Collins is an attorney in the Stites & Harbison PLLC Lexington office.



Patrick Eavenson (2018), an attorney with Stoll Keenon Ogden PLLC, received one of the Legal Aid of the Bluegrass' 2022 Pro Bono Attorney of the Year awards. Eavenson contributes to the Business Litigation, Appellate, and Intellectual Property practice groups.



W. Austin Smith (2016) joined Dentons Bingham Greenebaum LLP in Louisville as senior managing associate. He focuses on commercial litigation.



John B. Jessie (2016) started with Quarles & Brady, LLP's Chicago office in the Real Estate & Land Use Group.



Rebecca M.W. Sherman (2013) was elected to the LexArts Board of Directors after previously serving on the organization's Corporate Giving and Horse Mania Committees. Sherman is a partner in the Stites & Harbison PLLC Lexington office in the Construction Service Group.



Mark Flores (2010), an attorney in the Dallas office of Littler, the world's largest employment and labor law practice representing management, has been elevated to shareholder, effective Jan. 1, 2023.



Jeff W. Adamson (2006) opened a new law firm, Adamson Law PLLC, in Louisville. He practices in the areas of personal injury, including automobile and trucking litigation, premises liability, products liability, and nursing home and medical negligence.



J. Curtis McCubbin (2006) was named Chief Compliance Officer for D.A. Davidson & Company, a full-service investment firm providing wealth management services, nationally recognized research, and capital market and investment banking expertise.



Sara Elrod Ruml (2005) joined Stites & Harbison PLLC as counsel in the Trusts & Estates Planning Group.



Cassidy R. Rosenthal (2002) was appointed chair of Commerce Lexington's Board of Directors for 2023. She is the Lexington Office Executive Member and partner in Stites & Harbison's Lexington office.



Larry D. Ashlock (2000) was elected Circuit Judge for the 9th Circuit (Hardin County), 3rd Division, and took office on Jan. 2, 2023, for an eight-year term.

1990s



W. Blaine Early III (1996) received Bluegrass Tomorrow's Robert N. Clay President's Award for most valuable board member. Early is an attorney at Stites & Harbison PLLC.



Laura Holoubek (1996) joined the Community Board for Independence Bank in Lexington. Holoubek is a corporate partner at Dinsmore & Shohl.



Palmer Gene Vance II (1990), an attorney with Stoll Keenon Ogden PLLC's Lexington office, became the chair of the American Bar Association House of Delegates at the conclusion of the 2022 ABA Annual Meeting.



Robert W. Griffith (1977), secretary and general counsel of Hardscuffle, Inc., received the Mary Louise Allen Memorial Award from the Bluegrass Conservancy, a land trust based in Lexington, Kentucky, for his contributions to land conservation.

In Memoriam

Mr. John Quentin Wesley, 1954
The Honorable Henry R. Wilhoit, Jr., 1960
The Honorable John Y. Brown, Jr., 1961
Mr. John R. Morgan, 1961
Stephens Woodrough, 1961
Mr. H. Wayne Riddle, 1962
Mr. Jackson W. White, 1962
Ms. Donna R. Hagedorn, 1966
Mr. Robert E. Wheeler, 1966
Mr. John S. Henson, 1967
Mr. David R. Irvin, 1967
Mr. H. Douglas Rouse, 1967
Mr. Danny H. Branstetter, 1968
Mr. Joel S. Cofsky, 1968
Douglas E. Johnson, 1969
Mr. Philip L. Mulholland, 1969
Mr. Robert J. Smith, 1969
Judge Stan Billingsley, 1970
Mr. Jay C. Fogelberg, 1970
Mr. Ronnie G. Dunnigan, 1971
Mr. Alan H. Fischoff, 1971
Mr. W. Stokes Harris, Jr., 1971
Mr. Leo A. Marcum, 1971
Mr. Frederick G. Neikirk, 1971
Mr. Edward I. Steckel, 1971
Mr. Benjamin W. Hawes, Jr., 1972
Mr. John D. Hays, 1972
Mr. Richard A. Sanks, 1972
William D. Stark, Jr., 1972
Mr. Bruce Cummings Boyens, 1973
Mr. R. David Clark, 1973
Mr. Paul J. Vesper, 1973
Mr. Quinten B. Marquette, 1974
Mr. Charles J. Arnold, 1975
Mr. Ralph H. Stevens, 1975
Mr. Ralph H. Von Derau, 1976
Mr. Foster Ockerman, Jr., 1977
Mr. Neal D. Oliphant, 1977
Mr. Joel R. Embry III, 1978
Mr. McPherson P. McCabe, 1980
Mr. Otis J. Doan, Jr., 1982
Mr. James E. Toombs, 1982
Mr. Frank A. Atkins, Jr., 1984
The Honorable John H. Callis III, 1984
Mrs. Barbara C. Carnes, 1984
Ms. Alice C. Kinkead, 1984
Mr. William E. Johnson, Jr., 1993
Mr. Michael E. McCarty, 1998
Mr. Charles E. Keith, 2000
Mr. Logan Johns, 2023

*As of June 30, 2023



Office of Continuing Legal Education Turns 50

Created in 1973, the Office of Continuing Legal Education has provided instructional services and materials to practicing attorneys, law faculty and others for 50 years. The office at the University of Kentucky J. David Rosenberg College of Law was the first continuing legal education entity in the Commonwealth of Kentucky, developing about a decade before continuing legal education became mandatory for attorneys in the state.

The purpose includes assisting the legal profession in keeping abreast of changes in the law resulting from statutory enactments, court decisions, and administrative rulings; developing and sustaining practical lawyering skills; and maintaining a high degree of professionalism in the practice of law.

"To me, the CLE office in the law school is the main connection that the law school has to the bar and alumni," said Kevin Bucknam, who has worked for the office since 1994 and served as director since 2001. "We get thousands of people every year, and they all know us; it's like a family. It is the true partnership between the law school and practicing bar, and it's not just UK alums."

All the speakers and planning committees for CLE programs are volunteers, and the volunteers reside all over the country. These volunteers want to give back and often enjoy being connected to the flagship law school, especially if the person is a graduate of the UK Rosenberg College of Law.

Over the decades, the CLE office has worked with its volunteers to develop programs based on trends in the legal field and suggestions from those in the legal community. CLE offers live courses, audio recordings of programs, streaming videos, and publications.

Bucknam remembers when CLE recorded presentations onto cassette tapes, and he led the office through the pandemic when live streaming on Zoom became the primary method for delivering programs. Now, live

programming has returned, and Bucknam said he finds that many attorneys appreciate the opportunity to build camaraderie with others in their field.

"There is still a very strong desire among Kentucky attorneys to be in a conference room together," Bucknam said. "The practice of law is oftentimes relatively solitary. So, when they can get a day or two out of the office to be around other attorneys, live and just talking, I think they really enjoy that."

CLE keeps a regular annual calendar of programs and a biennial calendar of programs. Many of the programs have grown from statewide conferences to regionally or nationally recognized programs.

In addition to celebrating its 50th anniversary, CLE also celebrated the 50 years of Kentucky's longest-running annual CLE program on August 3 & 4, 2023, at the Embassy Suites in Lexington. The 50th annual UK/CLE Midwest-Midsouth Estate Planning Institute was attended by more than 260 estate planning professionals representing over 15 different states.

Since its inaugural offering on July 19 & 20, 1974, with a program entitled "A Seminar on Estate Planning," this annual event has hosted more than 335 speakers from 28 different states, offering 584 presentations over the last 50 years. Over 7,200 attorneys and other probate and trust professionals have attended this national conference over its esteemed history.

This historic event was celebrated by the official renaming of the Institute as "The Annual Midwest-Midsouth Bondurant/Bagby Estate Planning Institute," to honor the leadership and unwavering support of the late John T. Bondurant (UK College of Law Class of 1960), founding member of Frost Brown Todd in Louisville, and Glen S. Bagby (UK College of Law Class of 1969), a partner in the Lexington office of Dinsmore & Shohl.

CLE: By the Numbers

3

number of CLE directors
(John Hickey, Todd Eberle, and
Kevin Bucknam)

114

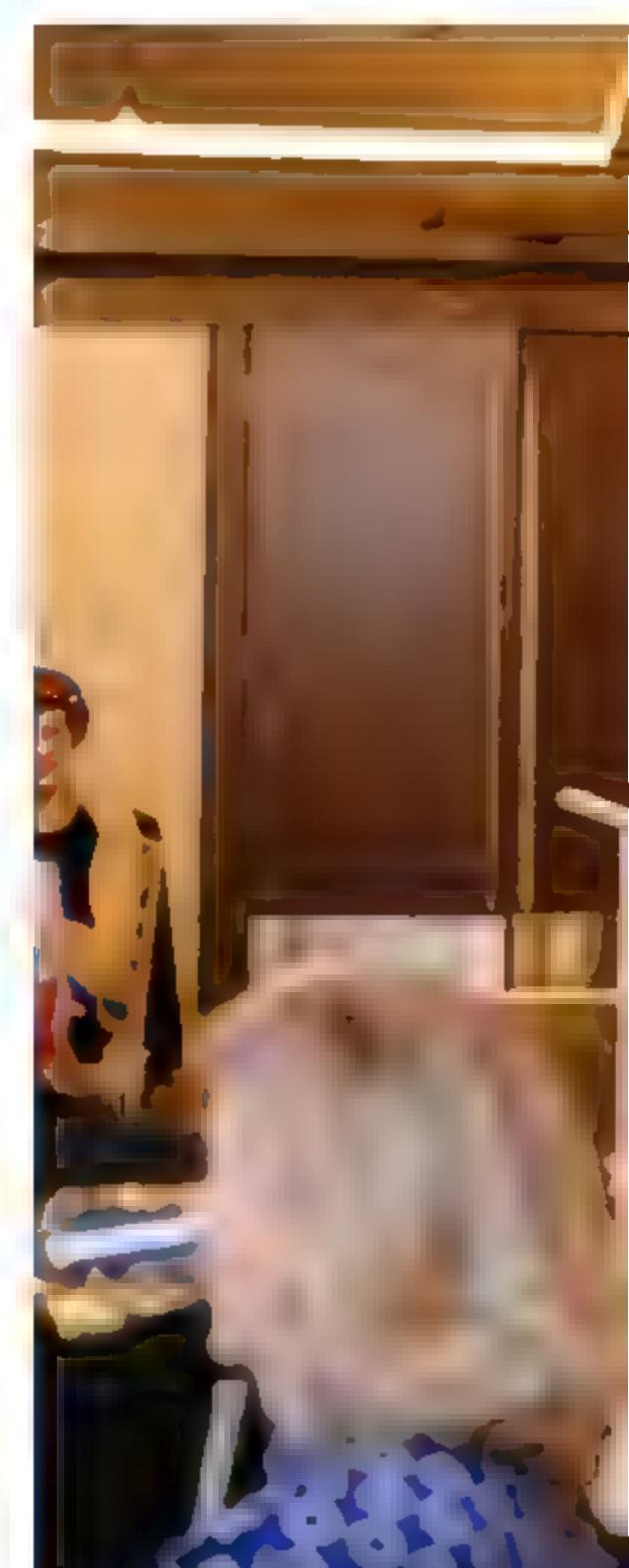
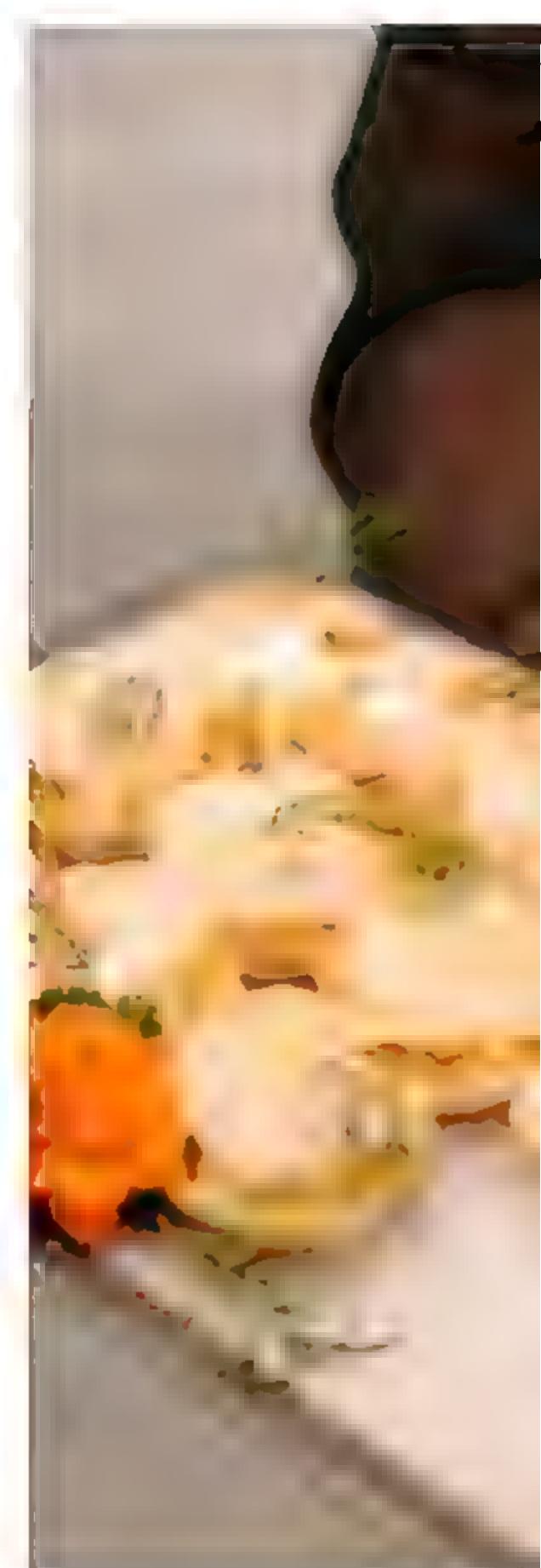
average attendance
for live courses

683

number of programs held in
its 50 years of existence

1500

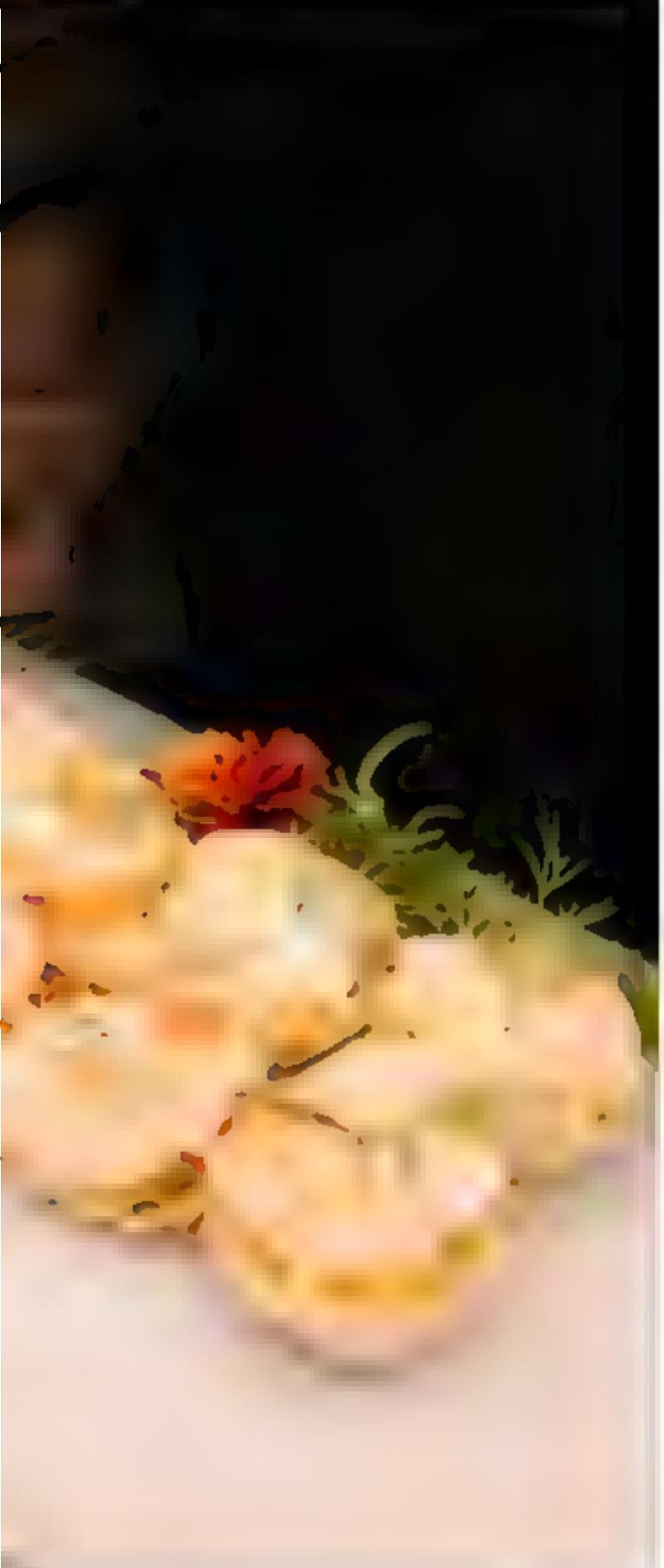
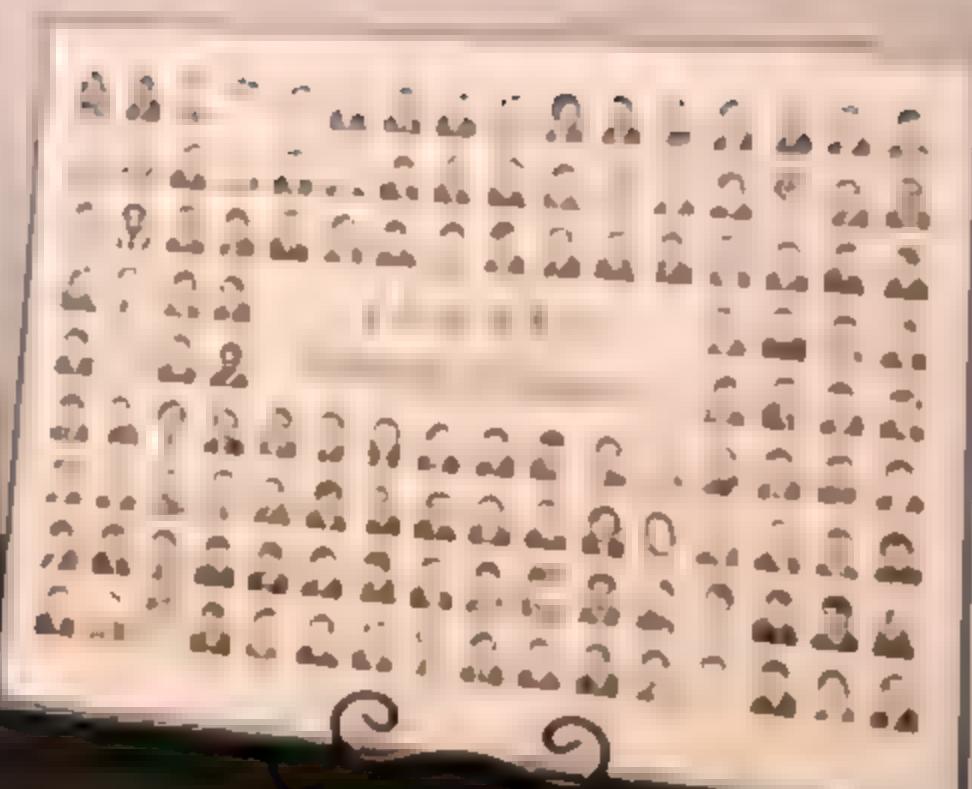
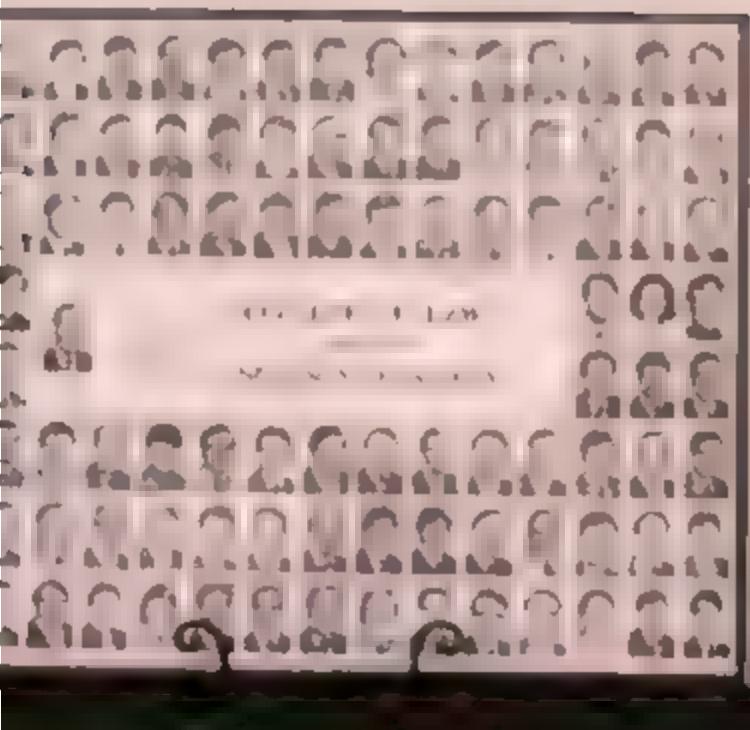
average yearly attendance
to live courses



A 50th Reunion Celebration

Honoring the Classes of 1970, 1971 & 1972

October 13, 2022 ▶ Limestone Hall



MARTIN FAMILY

Welcomes Fifth Generation in Law

With five generations in the law, the Martins are true believers in the power of legal education. The family's legacy includes three UK law school grads: Otto Carston Martin (J.D. 1911), Earl Franklin Martin Jr. (J.D. 1962), and Earl Franklin "Marty" Martin III (J.D. 1987). Soon, they will be congratulating a fifth generation Martin on receiving his juris doctor.

At 85, Earl "Frank" Martin Jr. enjoys reminiscing about his 58-year career as a lawyer based in Hartford, Kentucky. He was inspired to practice law by his grandfather Otto, who was in the second graduating law school class at UK with eight others. Frank believes Otto's interest in law stemmed from both his father and father-in-law serving as sheriffs. Frank's father was also a lawyer who attended the University of Louisville. For Frank, law was his destiny.

"I remember the exact moment I knew I wanted to be a lawyer. It was when I was watching my grandfather finish up a case as commonwealth's attorney," Frank said.

Frank reflects fondly on his UK law school years. He and his wife, Mary, were starting their family while he attended classes. Upon graduation, Frank joined his family's practice around the time his grandfather's health was failing and his father was stepping into the commonwealth's attorney role. Frank practiced law until 2019.

"As a country lawyer, the practice changed every 10 years or so," Frank explains. "I did have a case that lasted 18 years and went to the Federal Court of Appeals."

Another of Frank's cases changed state law relating to coal rights and strip mining. Frank inherited the case from his father, who had become a judge and had to recuse himself.

Frank's other accomplishments included representing the chamber of commerce, an industrial foundation, and the water and wastewater districts when they were adding essential infrastructure. He also served on the



“
Both my father's and great grandfather's class pictures are on the wall in the law school, so I saw them many times and took pride in continuing the family tradition.”

Marty Martin



board of the first Area Development District in the state.

Inspired by the previous three generations, Frank's son Marty applied only to law school at UK.

“Both my father's and great grandfather's class pictures are on the wall in the law school, so I saw them many times and took pride in continuing the family tradition,” Marty said.

Marty clerked during law school before serving eight years as an active-duty U.S. Air Force staff judge advocate officer. When it was time for the next stage of his career, Marty turned to influential former professors Robert Schwemm and Bill Fortune for guidance on teaching law. He went on to

earn his master's in law from Yale University and teach law across the country, including Gonzaga University, where he became dean of its law school in 2005. In 2015, he became President of Drake University.

His youngest son, Case, studied computer science, data analytics, economics, and philosophy there, and now attends law school in Oregon, where he plans to live.

“Case is wired for this profession. He is loving his law school experience and clerking,” Marty said. “Law is an amazing education, no matter where you go or what you want to do.”

Perhaps no other family knows this better than the Martins.

RUTH PAARMANN



Sharing a Life in Law

THOMAS W. SMITH, J.D. 1977 ROBIN SIMPSON SMITH, B.B.A. 1979, J.D. 1982

Hailing from Eastern Kentucky and West Virginia, Robin Simpson Smith and Thomas M. Smith were brought together by the University of Kentucky J. David Rosenberg College of Law. More than four decades later, Tom has had a long career practicing law and serving as a Circuit Court Judge in Floyd County. Robin continues to serve Eastern Kentucky residents and businesses through her Prestonsburg-based general law and mediation practice, Robin Simpson Smith, Attorney at Law.

"When I was about 16, my mother told me that my dad always wanted to be a lawyer, and she thought I'd be a good one," Robin said.

During college, she worked at a law office in Louisa, where she and Tom connected after he received his law degree. The couple married in 1980, and Robin received a business degree before entering law school.

"My three years at UK law were probably the best three years of my life. We had a great class, and I knew I was getting the best legal education in Kentucky. The professors were leaders in their fields," she said.

Tom jokes that he attended law school at UK because he was a rabid Wildcats basketball fan, but he agrees that the professors helped him develop expertise that he used to his advantage.

"Civil procedures were a complete mystery to me at first. Spending three years going through the civil procedure levels, it became something I knew very well," he said. "I also enjoyed learning property law, which helped us make a living for several years."

Tom's career included working in the Louisa attorney's office followed by a job with an oil and gas company. He then opened an Eastern Kentucky office for a Louisville law firm. He practiced alone while the couple's children, Kathleen (B.L.S. 2021) and Christian, were young. In 2014, he was elected as a Circuit Court Judge (31st Judicial Circuit, Division 2), retiring in 2023.

When Robin graduated, she worked for law alumni in Salyersville. She later joined Tom's practice, setting up her own practice in Prestonsburg in 2010.

As a member of the Visiting Committee of the UK Rosenberg College of Law, Robin proudly represents Eastern Kentucky in advising the dean. She also brings UK Rosenberg Law news back to people in her town and region.

"It's good to know the opportunities and challenges of the law school and be able to look at it from the perspective of a practicing attorney," said Robin, who is also on the UK Alumni Association board.

The couple supports their community's business, church, and arts scene, with Robin active in P.E.O. International and the Southeast Kentucky Chamber of Commerce. They are also proud that their legal representation has helped local families.

Both acknowledge the influence the law school at UK has had on their careers and lives.

"Nothing, other than my parents raising me in civil fashion, has had more import throughout my professional life than the time spent at UK law," Tom said. "I learned how to think, write, and find the info I need to represent clients and make decisions."

RUTH PAARMANN



“

My three years at UK law were probably the best three years of my life. We had a great class, and I knew I was getting the best legal education in Kentucky.”

Robin Simpson Smith

College Holds Inaugural Event to Recognize Graduates of Color

In spring 2023, the University of Kentucky J. David Rosenberg College of Law held its inaugural Pioneers for Progress event. UK Rosenberg Law Senior Assistant Dean Danny Murphy established this initiative, in part, to bring back Black alumni and graduates of color and re-engage them in the law school community.

A. Hasan Davis – an author, consultant and 1996 alumnus of UK Rosenberg Law – served as the keynote speaker at the event on April 13, 2023, in the G. Chad Perry III Grand Courtroom. After an early encounter with the law as a pre-teen and expulsion from an alternative school, Davis earned his GED and then attended Berea College. In his keynote address, Davis talked about navigating Berea College and law school with ADHD and dyslexia and struggling to get needed accommodations.

“My journey to UK law school was a journey that probably nobody could imagine, not even me,” Davis said.

He said students of color face a lot of pressures and expectations – some spoken and some unspoken, and it was hard for him to find support. However, he did find mentors and advocates in some of his professors.

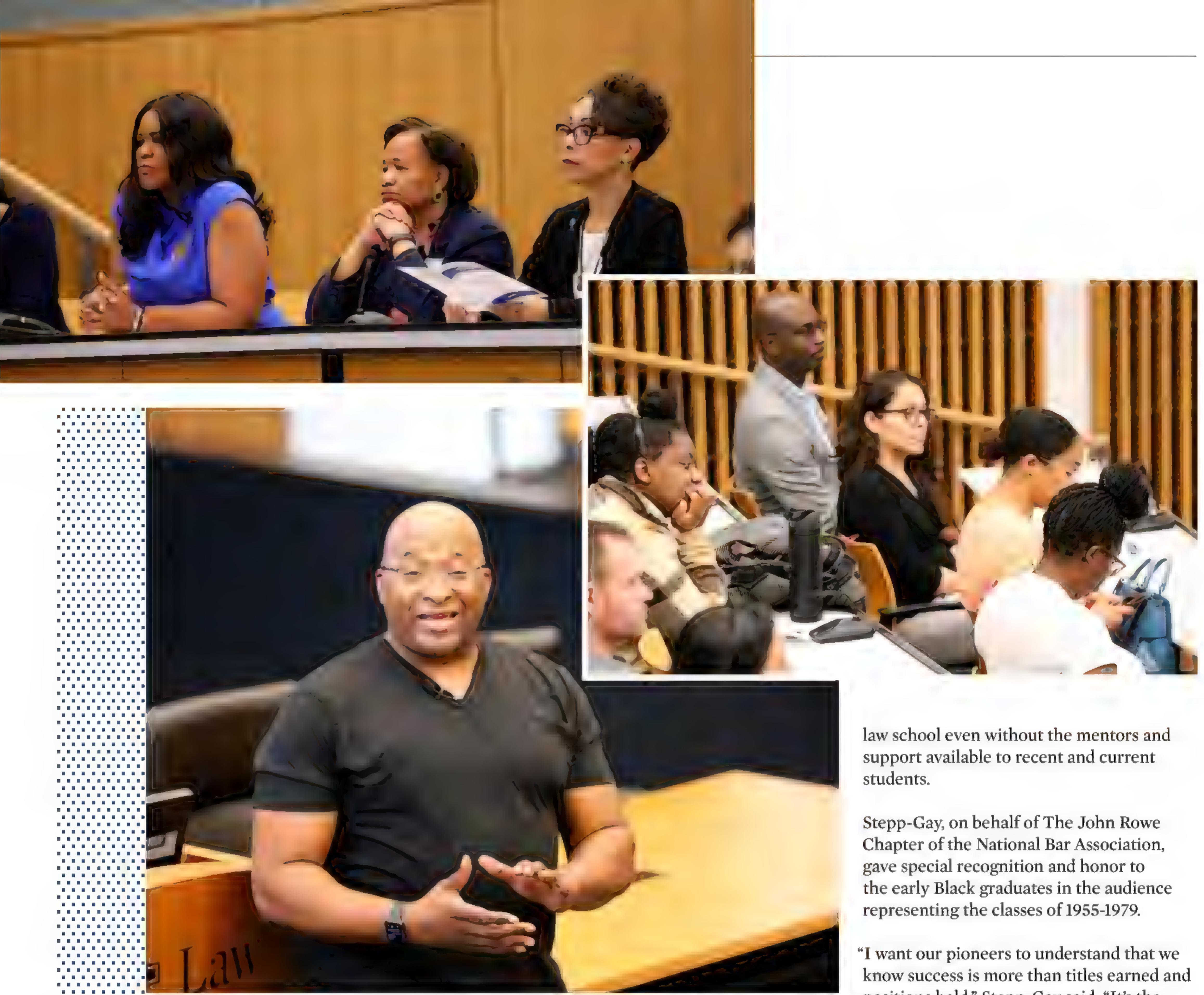
“There’s not one way to get through this, but the only way we get through this is if we have supporters,” Davis said.

Davis has thrived in his career since graduating law school, overcoming many of the historical challenges that Black alumni commonly face in addition to his own disabilities. In 2008, Davis joined the executive leadership team of the Kentucky Department of Juvenile Justice as

deputy commissioner of operations. In 2012, he became Kentucky’s fifth commissioner of juvenile justice and was instrumental in moving juvenile justice reform in Kentucky. A recognized national speaker on issues of juvenile justice and diversity, Davis has written several books and worked to inspire and motivate youth and adults for more than 30 years.

UK Rosenberg Law Dean Mary J. Davis and Whitney Stepp-Gay, UK’s assistant general counsel and a 2015 graduate of the law school, welcomed alumni and encouraged them to return and reconnect with the law school. Nealy Williams, UK’s senior associate director of gift and estate planning and a 2017 graduate of the law school, introduced the speaker.





"We have continued to build on the foundation established by the alumni in this room and many other graduates of color who could not be with us today," said Dean Davis in her welcome.

Stepp-Gay recalled looking at class composite photos from across the decades and seeing mostly white men in the beginning after the college was founded. "Slowly you start to see pockets of women, and then slowly you see pockets of color. And I thought to myself, 'My goodness what must their experience have been at a time with such limited possibilities.'"

Senior Assistant Dean Murphy said the same story told by the composites is what

inspired Pioneers for Progress, along with former Dean David Brennen establishing the Ollen B. Hinnant Scholarship with the help of three alumni: John McNeill, Angela Edwards, and Fitz Johnson. "There were too many names and faces of Black graduates on those composites who I do not know, or I know of them but they have never returned since graduation. As a college, we knew we had to do better in re-engaging Black alumni and other graduates of color."

Those students didn't have a lot of people who looked like them in the law building, and there weren't a lot of people who looked like them in the legal profession. Stepp-Gay said those faces inspired her as a student because they endured and made it through

law school even without the mentors and support available to recent and current students.

Stepp-Gay, on behalf of The John Rowe Chapter of the National Bar Association, gave special recognition and honor to the early Black graduates in the audience representing the classes of 1955-1979.

"I want our pioneers to understand that we know success is more than titles earned and positions held," Stepp-Gay said. "It's the difference you make, and you all have made quite the difference."

Alumnus William Churchill led a recent effort to reconnect some of these early graduates, some of whom identify as the "Legacy Group," with each other and the college. Murphy said, "It is fitting to use an often-used statement that we, as Black alumni of UK Rosenberg Law, truly stand on the shoulders of these early graduates who opened doors through their difficult sacrifices, with some being often denied and others finding paths along the way, to achieve success in the legal profession."



Law Alumni Honored with Hall of Fame and Alumni Awards

On Wednesday, June 21, the University of Kentucky J. David Rosenberg College of Law celebrated the 2023 Law Alumni Association Hall of Fame & Alumni Awards recipients at a reception held at the Hyatt Regency in downtown Lexington, Kentucky.

The Hall of Fame was established to acknowledge graduates and former faculty of the college whose extraordinary professional success and contributions, profound positive influence on the college, and high degree of character and integrity are recognized by their peers. Inclusion in the Hall of Fame is the highest honor bestowed by the college. The 2023 Hall of Fame inductees were Professor Allison I. Connelly; Professor Christopher Frost (honored posthumously), and David Y. Olinger Jr.

In addition to the Hall of Fame induction, the Law Alumni Association with UK Rosenberg Law Dean Mary J. Davis presented the 2023 Alumni Awards to Kimberley H. Baird (Professional Achievement Award), Judge Janie McKenzie-Wells (Community Service Award), Eric C. Straub (Young Professional Award), Judge Jason S. Fleming (Distinguished Jurist Award), and Professor Chauncey E. Brummer (Legacy Award).

Hall of Fame inductee **Allison I. Connelly** (UK Rosenberg Law '83) joined the faculty at the law school in 1996 as the first director of the college's Legal Clinic. Prior to joining the faculty, Connelly spent 13 years as a state public defender, providing direct representation – including death penalty representation – to needy individuals at all levels of the criminal justice system.

Connelly rose through the ranks to become the only woman ever

named as Kentucky's Public Advocate, the head of Kentucky's statewide public defender system.

Hall of Fame inductee **Christopher Frost** (UK Rosenberg Law '86) was honored posthumously. He joined the college in 1998 after practicing bankruptcy and commercial law with Sidley & Austin in Chicago. He served on the faculty of Saint Louis University School of Law from 1990 to 1998 and as a visiting professor at the University of Illinois College of Law following his retirement.

Frost taught contracts, bankruptcy, secured transactions, and payment systems at UK and his research focused on corporate bankruptcy law.

Hall of Fame inductee **David Y. Olinger Jr.** (UK Rosenberg Law '76) retired as an assistant U.S. attorney for the Eastern District of Kentucky on July 3, 2017. He played varsity basketball for four years at Berea College, where he received his bachelor's degree in history and political science. He then served four years in the U.S. Navy before receiving his juris doctor from UK.

Olinger spent the first four years of his legal career working for the Kentucky Department of Transportation. In 1980, Olinger began his federal prosecutor duties in condemnation and general civil. For the last 25 years, he served as the asset forfeiture coordinator.

The Professional Achievement Award recognizes a particularly noteworthy accomplishment in a given year but may be given to one who has achieved and sustained an extraordinary level of excellence in a particular area of law. **Kimberly H. Baird** (UK Rosenberg Law

'96), the 2023 recipient, is the first African American female in Kentucky to serve as Commonwealth's Attorney and the first African American in Fayette County to serve in the role of Commonwealth's Attorney. Baird began her career as an Assistant Commonwealth's Attorney in 1996 and was promoted to First Assistant in 2016.

The Community Service Award is given to the graduate who has provided outstanding leadership in their community, state or nation to aid and benefit causes not necessarily related to the legal profession. The 2023 recipient, **Judge Janie McKenzie-Wells**, ret., (UK Rosenberg Law '86) is the current national president of the UK Alumni Association. She was admitted to the practice of law in 1986, and is admitted to the U.S. Supreme Court, the U.S. Court of Appeals for the 6th Circuit, and the U.S. District Courts of the Eastern and Western Districts of Kentucky. She is also a certified general civil and family law mediator.

In November 2006, McKenzie-Wells became the first woman elected as 24th Circuit Court Judge, consisting of Johnson, Lawrence, and Martin counties in Eastern Kentucky, where she served until January 2023.

The Young Professional Award is given to an individual who graduated within the past 10 years and has distinguished themselves professionally in the community, or in some other fashion. **Eric C. Straub** (UK Rosenberg Law '17) is this year's recipient. He joined Whitlow, Roberts, Houston & Straub in 2017 and has significant experience in both testate and intestate estates, handling contested and uncontested estate matters, creditor's claims, will contests, litigation involving decedents' estates and filing Kentucky inheritance tax returns. He is a top-rated estate planning and

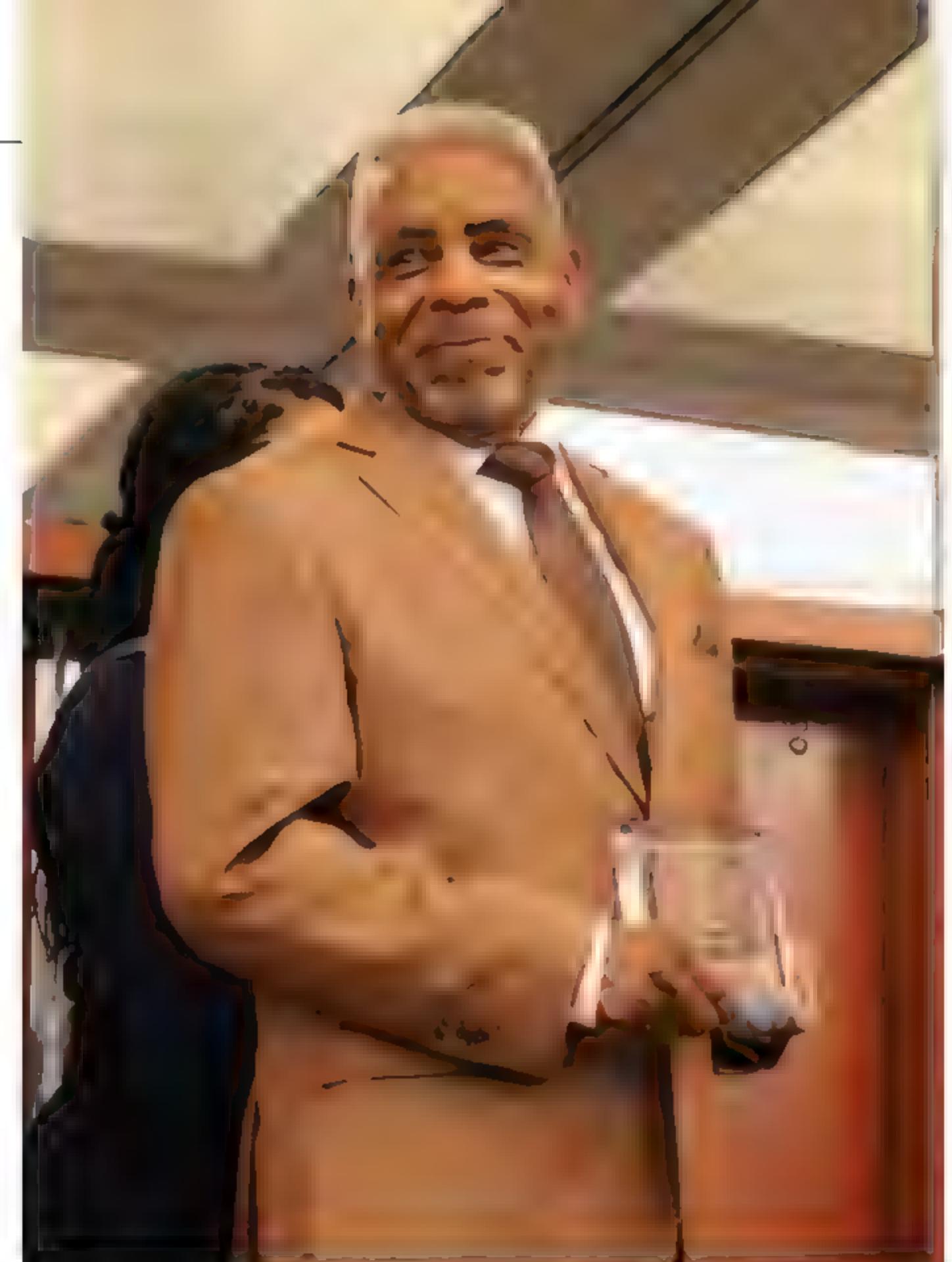
probate attorney recognized by Super Lawyers as a Rising Star in 2020-2023.

Straub is engaged in the community, serving as 2022-2023 president of the Rotary Club of Paducah and on the Paducah Young Professionals' Steering Committee. The Paducah Chamber of Commerce named Straub as the 2023 Young Leader of Western Kentucky.

Judge Jason S. Fleming received this year's Distinguished Jurist Award, given to someone who has distinguished themselves through a contribution of outstanding service to the legal profession. Fleming serves as Circuit Judge, Family Court, Division 3 of the 3rd Judicial Circuit, which consists of Christian County. Before his election to the circuit bench in November 2006, Fleming was assistant Christian County attorney from 1998 to 2006. He was in private practice with Thomas, Arvin & Fleming in Hopkinsville from 1997 to 2000 and had a solo practice from 2000 to 2003.

Fleming has received numerous awards, including 2011 Outstanding Young Lawyer by the Kentucky Bar Association's Young Lawyers' Section and 2023 Outstanding Judge by the Kentucky Citizens' Foster Care Review Board. He is also a recipient of the Kentucky Bar Associations' CLE Recognition Award and Pro Bono Award, both of which he has received multiple times. He is the only prosecutor to receive the Kentucky Public Advocate Award, presented to him in 2006 by the Department of Public Advocacy.

The Legacy Award is bestowed upon an individual who graduated 50 or more years ago and has demonstrated exceptional leadership in their profession and/or community and has made a positive impact on the well-being of the UK Rosenberg College of Law, the Commonwealth of Kentucky or elsewhere



Chauncey E. Brummer

in the nation. **Chauncey E. Brummer** (UK Rosenberg Law '73), enlisted in the U.S. Army Reserves after receiving his bachelor's degree. After graduating from law school, he joined the Louisville Legal Aid Society and established the state's first "Community Legal Education Program" designed to inform the poor and other citizens of their legal rights and responsibilities. In 1974, Brummer was hired as attorney and assistant general solicitor of the Louisville and Nashville Railroad Company.

In 1979, Brummer accepted a tenure-track appointment to the faculty of the University of North Carolina, Chapel Hill, where he taught family law, torts and juvenile justice. After accepting an offer to serve as an exchange summer visiting professor at the University of Arkansas, Fayetteville, he was recruited to a permanent position on the faculty and later became the first African American to be promoted to full professor at the University of Arkansas School of Law. During Brummer's 35 years at the University of Arkansas, he became known as the leading expert in Arkansas domestic relations law.



Kimberly H. Baird



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01**01**

FINAL SPOTLIGHTS

The UK J. David Rosenberg College of Law hosted the [United States Sentencing Commission](#) for its planning session May 31 – June 1, 2023. The Sentencing Commission – which includes federal judges from across the nation – collects, analyzes, and distributes a broad array of information on federal sentencing practices. The commission also continuously establishes and amends sentencing guidelines for the judicial branch and assists the other branches in developing effective and efficient crime policy. During the three-day planning session, the commission had the opportunity to meet UK Rosenberg Law faculty, staff, and students. The college held a reception for the group Wednesday afternoon.

02

A panel of attorneys from the Humana, Inc. Legal Department spoke to students on March 9, 2023, as part of the [Bridging the Gap to Success Initiative](#). The panelists were Joe Ventura, General Counsel; Elizabeth Monahan, Vice President, Assistant General Counsel Litigation; James Cash, Senior Counsel Litigation; Caroline Pieroni, Senior Counsel GMS and Health Plan; Felix Sharpe, Counsel Litigation; and Samantha Constantine, Counsel Regulatory. Anthony Gray, Senior Counsel, moderated the discussion.

03

The [Kentucky Legal Education Opportunity \(KLEO\) Summer Institute](#) was held July 16-22, 2023, at the UK J. David Rosenberg College of Law with a group of 15 entering first-year law students from each of Kentucky's three public law schools, including University of Louisville Brandeis School of Law and Northern Kentucky University Chase College of Law. Current law students served as mentors during the program. KLEO celebrated its 20th anniversary.

04**05**

Professor Paul Salamanca spoke to students, faculty, and staff on Monday, Oct. 31, 2022, as part of a series of events in which UK Rosenberg College of Law faculty discuss their backgrounds and take questions. The ["Where I Am From" series](#) was sponsored by the college's Diversity Committee and moderated by Ramsi Woodcock, the committee chair. Several faculty members took the spotlight in the lunch presentations. The purpose was to show the diversity of experiences that members of the UK Rosenberg Law community bring to the table.

On Thursday, May 4, 2023, UK Rosenberg College of Law held a [reception for Class of 2023 graduates](#) and their families on the Memorial Hall lawn across from the law building. The event, held the day before commencement, included remarks from Professor Alan Kluegel on behalf of the faculty and Anne Evans Léniz spoke on behalf of the graduates. The Law Alumni Association provided a balloon arch for photos and the class composite photo.



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